dissent

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1 A NEW WORLD DISORDER?

Thoughts After the War *Rose Coser, Murray Hausknecht, Irving Howe*

Democracy in the Arab World? *Shaul Bakhash*

Year Four of the Intifada *Jonathan Frankel*

The Arming of Saddam Hussein *Fredric P. Smoler*

The Third World Revisited *Bogdan Denitch*

The Power of Germany *Andrei Markovits*

Impressions from the Soviet Union *Robert Dahl & Ian Shapiro*

2 FEMINISM AND RIGHTS

A Special Section on Political and Legal Issues Affecting Women

Articles by Jean Cohen
Frances Olsen
Susan Moller Okin
Wendy Kaminer
Drucilla Cornell
Alida Brill

3 POLITICS AND IDEAS

DEBORAH MEIER on
Bush & the Schools

HAROLD MEYERSON on
A Party With Nothing to Say

E.P. THOMPSON on
Europe After the Cold War

ROBERT HEILBRONER on the
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Summer 1991

COMMENTS AND OPINIONS

Rose Laub Coser, Murray Hausknecht, and *Irving Howe* reflect on the Gulf War, **321** • *Harold Meyerson* on the Democrats' silence, **326** • *Deborah Meier* on education and the president, **329** • *Shaul Bakhash* on the chances for democracy in the Arab world, **332**

REPORTS FROM ABROAD

Jonathan Frankel on the intifada, **337** • *Robert Dahl* and *Ian Shapiro* on privatization in the Soviet Union, **342**

ARTICLES

The Arming of Saddam Hussein
Fredric P. Smoler
347

Germany: Power and the Left
Andrei S. Markovits
354

Return to the Third World
Bogdan Denitch
360

SPECIAL SECTION: WOMEN AND RIGHTS
Edited by Jean L. Cohen and Cynthia Fuchs Epstein
369–405

About Women and Rights
Jean L. Cohen
371

A Finger to the Devil: Abortion, Privacy, and Equality
Frances Olsen
377

Economic Equality After Divorce
Susan Moller Okin
383

On the Devaluation of Rights
Wendy Kaminer
389

Womb Versus Woman
Alida Brill
395

Sex-Discrimination Law and Equivalent Rights
Drucilla Cornell
400

A Vision of Market Socialism
David Miller
406

NOTEBOOK

Jeffrey Scheuer on special interests, **415** • *Lawrence Soley* on right-wing think tanks, **418** • *Cynthia Fuchs Epstein* regarding women warriors, **421** • *Nicolaus Mills* on journalistic ethics and the Kitty Kelley ethos, **422**

COMMUNICATIONS

Brian Morton and *Michael Walzer* on the Gulf War, **424**

BOOKS

E.P. Thompson on Ralf Dahrendorf's *Reflections on the Revolution in Europe*, **426** • *George M. Fredrickson* on *The New American History*, edited by Eric Foner, **428** • *Robert Heilbroner* on Robert Kuttner's *The End of Laissez-Faire*, **432** • *Alan Ryan* on *American Citizenship* and *The Faces of Injustice*, by Judith Shklar, **435** • *Michael Zimmerman* on *Heidegger and Modernity*, by Luc Ferry and Alain Renaut, and *The Politics of Being*, by Richard Wolin, **438** • *Emanuel Geltman* on Albert Glotzer's *Trotsky: Memoir and Critique*, **442**

LETTERS

444

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Irving Howe
Michael Walzer

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Thoughts After the War

As our readers know, the editors of Dissent *had divided opinions about the Gulf War—represented about equally in our previous issue. We saw this division as normal among people with common values and ideas but different estimates of a particular event. In any case, here are three comments on the happenings since the war's end, written by editors who took different positions on the war itself.*—EDS.

Rose Laub Coser

What have we accomplished? We liberated Kuwait from a brutal aggressor; we kept Saddam Hussein in power; we killed at least a hundred thousand Iraqis and destroyed the infrastructure of the country. We permitted Hussein to murder the Kurds to a degree that has been called genocide and set in motion a migration of almost five million people.

We may not get any oil out of Kuwait for a number of years as it is burning away, but yes, we chased Hussein out, and that was good. We also destroyed his military power (we hope), and that was good also, although it could have been contained by other means. George Bush never gave negotiations a chance; he was set from the beginning to wage a war, or he would not have made nonnegotiable demands. But if we rejoice at the liberation of Kuwait and at the destruction of Hussein's military power, we did not accomplish what Bush had promised, namely, to get rid of Saddam Hussein, to encourage a revolt of the Iraqi people, as he had incited them to do several times.

I don't have to spend much time pointing out that the Kuwaitis have thrived on greed, that they treated their servants as slaves, and that they had a bad human rights record. After the war was over, the emir didn't want to return (with his forty wives) for fear for his safety—as a gesture of good leadership, I guess. Then the Kuwaitis started rounding up Palestinians arbitrarily. They arrested six hundred Palestinians who are supposed to go on trial, according to an Amnesty International (AI) report. In the meantime, the Palestinians were subjected to beatings, electric shocks, and prolonged deprivation of food and water. AI was told that at least seven inmates had died after torture. During the visit of the AI team from March 28 to April 9, victims were still being killed and tortured. The more than a dozen forms of torture that AI catalogued included electric shocks; burning with cigarettes, candles, and acid; cutting with knives; whipping with electric cables; biting and threats of execution and sexual assault. "Although revenge for alleged collaboration appears to have been the motive in some cases," the AI report states, "many people seem to have been targeted simply because of their nationality."

So much for human rights and a new world order.

We kept Hussein in power deliberately, after we—and the Iraqi people—had been told (by the CIA, among others) that Hussein had to be deposed. He was being compared to Hitler—a foolish comparison. But now it seemed more important to safeguard the status quo, to safeguard Iraq's territorial integrity. When we decided to end the war we left him just enough military force so he could squelch revolts in his country, killing many thousands of his people.

It has been said that Bush wanted to avoid another Lebanon. I am not sure that what he wanted to avoid was not another Nicaragua—a popular revolt that he might not be able to control. What he wanted was a coup, the replacement of one strongman by another. It appears that "one senior State Department official recently told a visiting European envoy that 'an Iraqi Assad' would be the best the United States could hope for—'a reliable and predictable enemy' " (*New York Times*, April 7, 1991). Hafez al Assad, whose human rights record includes the massacre of some twenty thousand of his people, now becomes the model for "the new world order"?

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We now hear that we should not interfere in the "internal affairs" of the country we have brought to its knees. And how do the internal affairs look after we did our job? Anthony Lewis quotes a United Nations mission report:

> The allied bombing . . . had had near apocalyptic results. There is no running water in Baghdad or other cities. There is almost no electricity. Sewage systems do not work. There is little or no fuel. . . . Hospitals are without medical supplies. . . . Iraqi rivers heavily polluted with raw sewage . . ., pools of sewage lie in the streets. (*New York Times,* March 29, 1991)

When talking of the human rights records of our "Arab friends," we should not forget the Saudis, for whose defense we started it all. I am not revealing any secrets when I mention their treatment of women—who aren't even permitted to drive—or their refusal to let our soldiers, who are there to protect them, practice their religions. But other violations have been less well publicized. In September 1990 an AI delegation heard reports that up to twenty thousand Yemenis were being deported from Saudi Arabia every day, that thousands of Yemenis had been arrested on the streets, in schools, at their homes or workplaces. People as young as eighteen and as old as sixty—some of whom had lived in Saudi Arabia for more than a decade or were born there—have been picked up by the police, tortured, and beaten. I spare our readers the details of individual cases AI reports; they make your stomach turn.

This Saudi Arabia, which we had come to protect, apparently was influential in the White House decision not to interfere with Saddam Hussein's crackdown against the Kurds (*New York Times,* April 10, 1991). According to William Safire, Prince Bandar told James Baker that only a Sunni Moslem military dictator in Baghdad would be stable enough to provide a balance against Iran.

It will be objected that destruction, atrocities, and otherwise undesirable bedfellows is what wars are made of, that these are the costs of any war, the price we have to pay for the realization of our goals.

What about our goals? Many are the people who warned that the peace may be worse than the war itself—the most eloquent one possibly being Zbigniew Brzezinski in his masterful testimony at the Senate Foreign Relations Committee (Hearings of "U.S. Policy in the Persian Gulf," December 4, 1990, Part 1). He warned of chaos, of destabilization, and did not for a moment believe in the realization of the new world order we were being promised. True, he did not foresee—nobody did—the flight of a million Kurds from helicopter and tank attacks, creating a refugee problem unlike any we've seen yet.

I cannot restrain myself from an aside in regard to the American political scene. The Democrats have no reason to behave as if they have been shell shocked into the defensive for having, most of them, opposed the war. Like Brzezinski, they foresaw that much of the war's aftermath could be catastrophic. They weren't so wrong after all when they believed that negotiations rather than ultimatums might be more effective in stopping Hussein, taking as an example the handling of the Cuban missile crisis by John Kennedy.

A team of Physicians for Human Rights visited several camps of Kurds. There are seven hundred thousand Kurds along the Iraqi-Turkish border; they report four hundred to a thousand deaths each day, the primary causes of death being diarrhea and dehydration—a condition that afflicts 88 percent of the children under five years of age. Only one-third of the 18 percent of the women who are breast feeding are producing milk, as a result of malnutrition, dehydration, or stress. Everybody has seen the heart-rending television shots. And while the exodus was taking place, Bush, who had left the scene of the accident, did nothing while Iraqi gunships sprayed napalm and acid at the rebels. Bush "described Saddam Hussein as a modern Hitler, but he is allowing Iraqis who oppose the tyrant to be slaughtered," wrote Anthony Lewis. Although the Kurds had been deceived by us before, they did not count on it this time. The Kurds had read Bush's lips and believed Americans were kinder and gentler.

We have a president who is a master of deception (following one who had learned make-believe in Hollywood), a talent he perfected in the CIA, no doubt. During his vice-presidency he continued to deceive—being involved, it seems, in a deal to defer the liberation of hostages till after Reagan's election, and then again in the Iran-*contra* affair. And he uses his deception at times when it is easy to appeal to the credulity of people rather than to their intelligence, that is, during political campaigns and in preparation for war. Just as Bush wrapped himself in the American flag, so his appeals to American values have deflated these very values, converting them into yellow ribbons and shouts of ecstasy. The war has done damage not only to the Middle East, to millions of people; it has done damage to our values by endangering a free press and the critical minds of its people.

We had to go to war to punish aggression against Kuwait, but we sat still when it came to aggression against Iraq's own people. Bush went fishing and

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played golf until the Western European countries shamed him into giving help to the mass of Kurdish refugees whose ranks were being decimated by the death of adults and children because of epidemics, because babies could not be fed by mothers who had no milk in their breasts. It took the appeal of the president of Turkey—no saint—and of our European allies to shame the American president into extending help.

And now? Hussein can start all over building up his military power, no doubt with the help again of the Western world.

Murray Hausknecht

Both supporters and opponents of the Gulf War had a niggling feeling that perhaps those on the other side had partly the right idea. Many among those who so uneasily supported the war worried about its consequences, fears that turned out to be justified.

With the expulsion of Iraq from Kuwait and the destruction of its military power, two major stated aims of the war were achieved. Whether this has fundamentally changed the Middle East situation for the better is problematic; certainly a settlement of the Arab-Israel conflict remains as dubious as ever. More positive results are still possible, but other immediate consequences of the war provide sufficient grounds for uneasiness. These have less to do with the *realpolitik* of international relations than with more intangible considerations.

Even before the war began, a chorus of experts sang the virtues of a "surgical strike" that would achieve a quick victory with few casualties. The war was something more than a surgical strike, but there were amazingly few American casualties. Yet the metaphor foreshadowed how the matter of casualties is thought about. Those who used it conveniently forget that all surgery, no matter how precise and skillful, entails a loss of the patient's blood. It is perhaps too much to ask that a nation, worried about its own soldiers, be equally concerned with enemy deaths. Still, it is curious that, while there was an almost obsessive counting of how many artillery pieces and tanks were destroyed, there is still no official estimate of the number of Iraqi soldiers killed and wounded. It is all the more curious when we recall that enemy casualty rates are a major index of the success of a military operation. The (understandable) emphasis on the low number of American casualties and the lack of attention to Iraqi casualties present a picture of an almost bloodless war, the same idea the surgical strike metaphor encouraged. This picture, along with the celebration of the triumph of military technology—"smart bombs"—makes war seem something abstract, removed from human life and emotions. The hue and cry that went up in Washington when CNN televised pictures of dead and wounded civilians confirms the impression that the military and their civilian superiors cooperated in a deliberate masking of an important fact of war, that is, that war means the death of people.

War also means the destruction of resources, natural and man-made, that are the foundations of a people's life and culture. Once the war began, there was no way that the bombing of Baghdad and other parts of the country could be avoided—the defeat of the Iraqi army required the bombing of the military headquarters in Baghdad, as well as roads and bridges. The reports of the bombing, with their emphasis on the advanced technology, helped obscure its sheer destructiveness. Once the fighting stopped, we learned that most of the bombs used were conventional ones, which increased the destruction in the surrounding areas. Two unhappy questions concern the extent of the bombing: whether it was necessary to bomb the country, in the words of a United Nations report, "back to a pre-industrial age" and whether that bombing was one of the unstated objectives of the operation.

None of this is unrelated to the major scandal of the administration's policy in the Gulf. Beginning with the initial deployment of troops, George Bush regularly called for the overthrow of Saddam Hussein by the people of Iraq. There is now good reason to believe that the CIA was also covertly active in encouraging an uprising. When the war ended and revolts broke out in the south and among the Kurds in the north, Hussein, in actions that included attacks on fleeing Kurdish civilians, brutally repressed both uprisings. Throughout this period Washington took no action to support those fighting against the regime.

Washington's arguments justifying its policy are rational and not inherently disreputable. But continually to encourage Iraqis to revolt while knowing that we would not intervene to help was unconscionable. It is clear that those Iraqis who fought the regime took Bush's words to mean more than just the talk they turned out to be. The outrageousness of

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this conduct is intensified by evidence that, despite all the invocations of "democracy" and "the right to self-determination," what Bush had in mind all along was a coup by elements within the ruling Baath party and the Iraqi military that would have substituted one thuggish regime for another—one more predictable and less prone to foreign adventures. After all, who knows where a genuine rebellion with a broad social base will lead? Meanwhile, there are over a million homeless Kurds, another of our century's historic catastrophes.

Finally, there was the self-congratulatory celebration that featured trumpeting about "the end of the Vietnam syndrome." It was never very clear what that term meant, but it seemed to refer to the national unhappiness over the defeat in Vietnam that led to a profound sense of pessimism about America's position as a "world leader." The victory in the Gulf was hailed as restoring national self-confidence and pride in being confirmed as a superpower ready to come to the aid of its allies. None of the celebrants seemed troubled by the fact that the nation's recovery of confidence and pride was the result of a superior capacity to bring death and destruction to millions of people.

Here is the nub of the deep sense of uneasiness about our present situation. Yes, we cannot be thankful enough that our casualties were so few. But what does it mean for a society to see war as bloodless and to have the thousands of deaths of others obscured? What does it mean for a democracy to engage in an action that pushes another society back into "a pre-industrial age"? What are the consequences for such a society when its leaders encourage others to revolt against tyranny and then stand idly by pleading *realpolitik* when the revolt is cruelly repressed? What are the consequences not only for democracy but human sensibilities when success in war is so triumphant a source of national confidence and pride?

Irving Howe

The aftermath of the Gulf War has been, mostly, disastrous—about this I agree with my two editorial colleagues. But the question that remains is whether the betrayal of the Kurds by the Bush administration and its tacit acquiescence in maintaining an Iraqi dictatorship (with or without Saddam Hussein) was an inevitable consequence of the war.

It now appears that General Powell favored keeping the embargo for some months longer and not going to war; he didn't show much gumption in advocating these views, but at least he held them. Less powerful people also held such views. As I wrote in the spring issue of *Dissent*:

> I favored the embargo and wished it had been kept going, without military measures. Not because I was sure it would work, but because I hoped to avoid the horrors of war. But now that the war is a reality, I want to see a defeat of Saddam Hussein sufficient to destroy his nuclear, biological, and chemical capacities.

Those who favored sanctions rather than war—whether they declared themselves for or against the war—have to consider the real possibility that if sanctions had worked, there would have been an uprising in Iraq; Saddam Hussein, with his army intact, might then have been able to crush it; and we would have had to face the same or a similar problem: whether to intervene or not. There was no easy way out for advocates of either the pro- or antiwar position, except perhaps for those who simply clung to pacifism or those who thought Saddam Hussein a noble representative of the Third World.

In any case, the military defeat of Saddam Hussein is a reality—a decidedly positive consequence. No doubt, many social evils remain in the Gulf area, but for the time at least there is no possibility that Saddam Hussein will be able to launch a nuclear war in the next several years or grab up the supply of oil on which modern society depends. Even those who were against the war seem inclined to acknowledge as much—and perhaps also to acknowledge that a useful precedent has been set for United Nations action against obvious aggressors.

But the slaughter of the Kurds, their flight to the mountains, the deaths that followed, the unwillingness of the United States even to try to stay Saddam Hussein's hand—was all this an inescapable, a necessary consequence of the military defeat of Saddam Hussein?

I would argue that there was nothing inherent in the military action that required President Bush to make his irresponsible and vainglorious appeals to the Iraqis to rise up in revolt. Nor was there anything

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inherent in the military action against Saddam Hussein that made it inevitable that the United States would betray the Kurds. (Later, of course, the United States provided substantial humanitarian help, which was good; but that does not absolve the Bush administration of its responsibility for encouraging the Kurds into disaster.)

In standing by while Saddam Hussein wreaked vengeance on the Kurds, and this at a time when the United States was in a position to stop him at no great cost, the Bush administration made a shameful political decision. Nothing in the stars or fate mandated that decision. It derived from the view, apparently favored by the State Department, that a popular uprising in Iraq, because it could lead to unforeseen and uncontrollable consequences, was "against U.S. interests" and that a weakened or sliced-up Iraq might allow Iran to become the dominant power in that region.

Blatantly dishonest and hypocritical was the Bush rationale for not trying to stop Saddam Hussein from taking revenge on the Kurds—the rationale that we didn't want to "intervene in Iraqi internal affairs." This, after destroying the infrastructure of the country and causing a vast number of casualties? Wasn't *that* intervening in Iraqi internal affairs?

Right now, the aftermath of the war is dreadful. Has the price been too high for the victory? It is hard to form a definitive judgment. There is good reason to believe that to have allowed Saddam Hussein a free hand—which might also have been a consequence had the sanctions failed—would have brought still more terrible results. I offer, with all due qualifications, an analogy: It was necessary to defeat Hitlerism in the Second World War; yet the aftermath was both an enormous increase in the power of Stalinism in Eastern Europe and the miseries of the cold war. Did that, however, mean it was not worth destroying Hitlerism? The point of the analogy, let me stress, is not to compare Hitler with Hussein but to suggest that necessary yet terribly painful actions can often be followed by a costly aftermath, and still remain necessary.

Such questions are not easy to answer, except of course for those who know in advance what a socialist or liberal position on war should always be. The rest of us cannot speak with such certainty. In any case, at the moment what is important is to press for increasing humanitarian aid to the Kurds and Shiites victimized by Saddam Hussein; to look for political arrangements, probably supervised by the United Nations, guaranteeing their safety; and to direct a withering criticism upon the hypocrisies of the Bush administration. □

New Editors

We are very pleased to announce the addition of several new members to the *Dissent* editorial board:

Jeff Faux: A well-known economist who heads the progressively oriented Economic Policy Institute of Washington D.C. He is co-author of *Rebuilding America*, and his most recent article in our pages, "Labor in the New Global Economy," appeared in the Summer 1990 issue.

Alan Ryan: A political theorist, he is now teaching at Princeton University after many years at Oxford. Among his books are a study of John Stuart Mill and a biography of Bertrand Russell. His article "Socialism for the Nineties" appeared in our Fall 1990 issue.

Cornel West: Author of *Prophetic Fragments, The American Evasion of Philosophy* and *Ethical Dimensions of Marx's Thought*, he is an honorary chair of Democratic Socialists of America. His article "Nihilism in Black America" appeared in the Spring 1991 issue of *Dissent*.

Sean Wilentz: Author of *Chants Democratic: New York City and the Rise of the American Working Class*, he teaches history at Princeton. His article "The New History and its Critics" appeared in Spring 1989.

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Harold Meyerson

A PARTY WITH NOTHING TO SAY?

By the usual standards of American politics, the evening was a smashing success. This spring's fundraising dinner for the Democratic National Committee brought several thousand lobbyists, major donors, and other fixtures of the permanent government to the Washington Hilton. The party committees emerged $2 to $3 million richer. And the only nonmusical part of the program was a brief announcement from Virginia Senator Charles Robb that there would be no speeches.

"That's the party in a nutshell," one congressional aide sighed. "It leans on every lobbyist in town, raises three million bucks, and has absolutely nothing to say."

What makes the Democrats' silence so excruciating is that it is plainly their turn to speak. The conservative epoch has all but ended; its momentum is clearly spent. George Bush is at most a custodian of the Reagan legacy, and the right wingers in his administration have been reduced to advocating implausible transplants of Thatcherite policies—such as the buyout of public housing projects—to American soil.

The foundations of Reaganism look ever more rickety. The wreckage of deregulation is strewn across the economic landscape. Politicians scurry from the anti-abortion cause. Recession is upon us. The cold war is over. The preconditions for a Democratic resurgence would seem to be in place. And yet . . .

The Democratic Congress is disinclined to challenge Bush. Just eight months before the Iowa caucuses, no serious Democratic presidential candidates have emerged. In 1991, the Democrats can be distinguished chiefly by their failures to address basic policy questions, among them the following:

- the reluctance of the congressional leadership to move on national health insurance, an area where even the American Medical Association has now taken a position in advance of the party. National health, advises House Speaker Tom Foley, "is going to require more than one session and more than one Congress"—many more, at the rate at which Foley himself is proceeding;
- the defeat by a 38 to 60 margin of New York Senator Pat Moynihan's proposal to slash the regressive Social Security payroll tax. Twenty-six Democratic senators voted No on Moynihan's motion, and the congressional leadership, Foley especially, caved in to administration demagoguery about protecting the Social Security fund;
- the passage of a 1991 budget in which Democrats managed to rearrange only $13 billion out of Bush's $1.45 trillion—an unprecedented acquiescence to a GOP budget;
- the inability, chiefly at the federal level but also in statehouse after statehouse, to generate any countercyclical response to the current recession;
- the reluctance to investigate the allegations of Gary Sick, the Carter administration national security official, that the 1980 Reagan-Bush campaign impeded the release of the U.S. hostages held by Iran;
- and the slowness in criticizing the administration's initial nonresponse to the plight of the Kurds, presumably out of the conviction that opposition to war with Iraq rendered any such criticism politically impossible.

A silent party has few adherents. A Gallup/*Times-Mirror* poll taken in late March—admittedly, still in the flush of the Persian Gulf victory—showed that 36 percent of respondents identified themselves as Republicans, while a mere 29 called themselves Democrats. It also showed 50 percent sentiment for a Republican Congress and just 40 percent for a Democratic one. Those numbers should change as the war recedes and as attention turns again to economic and domestic affairs. Except, that requires the Democrats to take *positions* on domestic affairs.

It's the war, conventional wisdom has it, that revived the GOP's prospects. Certainly, after a year in which the end of the cold war had left them politically adrift, it provided conservatives with a foreign policy issue with which to club the Democrats. Republicans generally and the Bush administration in particular may have even less to say than the Democrats about domestic affairs, but they are at least "the party of national security."

A growing division of labor—or more precisely,

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of mission—has emerged in recent elections between the executive and legislative branches, coinciding with the political divisions between the two parties. The president is charged with national security, the Congress with domestic equity, environmental protection, and the like. By this analysis, the Democrats, denied national security experience by their exile from the executive branch, are at a permanent disadvantage in presidential elections; and their only hope to recapture the White House is to nominate a defense maven along the lines of Sam Nunn or, more recently, a supporter of the Gulf War, such as Al Gore.

This analysis is partly true: a sizable number of swing voters do weigh candidates' national security policies and experience in their decisions. It is also incomplete. For one thing, the perception of national security is changing. Polls show more Americans apprehensive about the economic threat posed by the Japanese than the military threat posed by the Soviets or anybody else. They show that for all the reluctance to raise taxes, a greater number of Americans feel threatened by internal decay than by foreign powers. Even at the war's height, with Bush's overall popularity in the high eighties, his approval rating on domestic issues was 43 percent positive, 43 negative.

Nor is Bush's popularity an unassailable Everest. His poll standings have already collapsed once, during last October's budget debacle, when they tumbled twenty points in one month. The only president whose polling ever stood as high as Bush's—Harry Truman—saw his ratings go from 87 percent to 35 percent between June 1945 and December 1946.

Which is to say, with attention to defining an international strategy that goes beyond just saying No, and with emphasis on reviving an American economy, the Democrats should not be totally out of the game. But, at least for now, they are.

What is astonishing, if not surprising, about the Democrats' decline is not that they are vulnerable on defense issues, but that they have squandered their edge on domestic issues. As recently as last autumn, they seemed to have gleaned a rudimentary understanding of governance and politics. In the debate over budget and taxes, the Democrats' defense of tax equity, however qualified, and the clumsy Republican embrace of tax privileges for the rich sent the Republicans into a brief free fall. The Democrats approached the current session of Congress with vows to pursue the fairness issue and to craft governmental programs benefiting the working and middle classes. Then the war came—and ended. And still nothing happened.

Scrapped at the outset was the Democrats' pledge to re-raise the millionaires' surtax issue—a proposal so popular that it wins the support of 80 percent of Republican voters!—in deference to the sensibilities of Ways and Means Chair Dan Rostenkowski. The Illinois Democrat has also been a leading enforcer, along with Foley and Senate Finance Chair Lloyd Bentsen, of last year's budget deal. The accord stipulates that no domestic programs can be started or enlarged out of funds from reductions in defense or foreign programs, that the funds must come either from cuts in other domestic programs or from new taxes. If Gramm-Rudman paralyzed the Democrats from the waist down, the budget deal immobilizes them clear to their forelocks, dooming any response to the recession. "With last year's budget agreement," says Democratic congressman Richard Durbin of Illinois, "we have very little ability to respond to significant economic challenges."

As I write, the Democratic delegation seems to be awakening to an understanding of how devastating the deal really is. Senate Majority leader George Mitchell and House Majority Leader Richard Gephardt are rumbling that changes may be necessary—though Foley, Bentsen, and Rostenkowski still seem disposed to honor the agreement no matter its cost. Problem is, the Democrats' ability to conceptualize programs that benefit and unite the bottom two-thirds of the nation has atrophied even in off-budget matters. Their support for the "fast-track" approval process for the proposed U.S.-Mexican Free Trade Agreement is Exhibit A.

The premises of the Free Trade Agreement are those of a laissez-faire fantasyland. As Richard Rothstein has noted, no one would think California's economy would benefit if Mississippi could slash its minimum wage to $1 an hour—but when we relocate California factories just across the Mexican border, that's supposed to generate a huge Mexican market for our advanced postindustrial products. With its plan not just for the Mexican treaty but for a hemispheric free-trade zone, the Bush administration is proposing a new world economic order that proceeds by leveling *downward*. It is the polar opposite of the kind of economic integration practiced by the European Community, in which aid and development flow from the richer nations to the poorer as a prelude to a continental social charter establishing Community-wide minimum standards for wages, environmental protection, and the like. But the Democrats, taking their lead from the wizards of the economics profession, have neglected to consider the European model, or any model of

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international economics save the purest form of Friedmanite reverie. Had their forebears been as attentive to the economics profession in 1935, there would have never been a New Deal—or a New Deal coalition.

Finally, the Democrats face one killer problem on the domestic side that is not a product of their timidity, and that is race. Even here, their abandonment of a class perspective has rendered them (and the nation) vulnerable to the much more vexing zero-sum politics of race. Absent any universal employment, education, or industrial policies, they have clung to the particularistic, remedial programs of affirmative action. Supremely indifferent to the waning of a cross-racial union movement, they have watched as a race-based politics has come to dominate cities and campuses. Failing to promote any other pieces of legislation, they present to the 1991 Congress the Civil Rights Restoration Act—a moderate bill which the Republicans successfully campaigned against in 1990 and plainly cannot wait to campaign against in 1992.

The very fact that race, not class, dominates American political discourse is, in partisan terms, a Republican triumph. Poll after poll demonstrates the gulf that exists between whites and blacks on race-based preferential hiring, and, as Thomas and Mary Edsall demonstrate in their forthcoming book, *Chain Reaction: The Impact of Race, Rights, and Taxes on American Politics,* it is the Democratic voting base that the fault line splits in two. (Indeed, an increasing number of the Democrats' leading progressives—Minnesota's Paul Wellstone, Iowa's Tom Harkin, and Tom Daschle and Kent Conrad from the Dakotas—come from effectively all-white states. The electoral advocacy of government programs in biracial states becomes increasingly difficult.) The Edsalls are part of what Ron Brownstein calls a "post-affirmative action left," with members ranging from William Julius Wilson to Cornel West, a number of whom still support affirmative action programs but understand their political and programmatic limits: affirmative action both fails to address the worst needs of the inner city and likely sunders any possible progressive majority.

As I write, the congressional leadership, under pressure from the Democratic right, is beginning to scale back the not-overly generous provisions of the Civil Rights bill. But if they take the right's lead, they will avail themselves nothing but an embittered black leadership. The Democratic Leadership Conference (DLC), for instance, has come out in flat opposition to quotas and in support of the Moynihan tax cut, but—at a national convention financed by such ardent working-class adherents as RJR Nabisco, AT&T, and TRW—also has decried any opposition to the free-trade agreement and attacked as "special interests" the unions fighting against it. Merely to claim coequal ownership with the Republicans of the standard of "universalism" through an abandonment of quotas is ridiculous. Democratic universalism must be class-based, building a voting bloc around such programs as universal health insurance and day care, affordable housing, jobs and education, and industrial programs. It creates public programs that serve city and suburbs alike. It funds them through a far more progressive tax system than our current one. It is rooted in a powerful union movement. It is not funded by AT&T.

This is admittedly a murky political terrain for the Democrats to navigate. Most of their potential presidential candidates are either busy at the state level destroying the very programs that build a Democratic base (New York's Mario Cuomo may be the saddest example here, but Virginia's Douglas Wilder is surely the worst) or sitting in Congress and failing to create such programs. And yet, there are signs that candidates ranging from the DLC's Bill Clinton and Al Gore on the right to Jesse Jackson and Tom Harkin on the left to Jay Rockefeller in the middle believe that progressive taxation, national health insurance, and some slight strategic appreciation of other universal programs may not be totally absent from the '92 campaign. The only certainty is that if they fail to move toward a much more class-based politics, the Democrats will remain adrift in the decades-long Thermidor they both suffer and abet. □

Coming Soon in ***Dissent:***

Richard Rorty on Intellectuals in Politics
John Roemer on a Blueprint for Market Socialism
Alexander Stille on Italian Jews and the Holocaust

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Deborah Meier

BUSH & THE SCHOOLS: A HARD LOOK

This conversation on President Bush's "bold new plan" for American education was conducted between Brian Morton, asking questions, and our co-editor Deborah Meier, who has gained nationwide praise as founder and director of the Central Park East public schools in New York City.—EDS.

B: The new education plan that President Bush unveiled this spring has three main features. The first involves what he calls greater choice: parents could choose to send their children to any schools they like, public or private, and federal money would follow the students to their schools. The second is that private industry has pledged to come up with $150 million to design 535 innovative new schools—one new school for each congressional district. The third involves standardized national testing: the country would draw up national standards in five subjects, and students would be tested in the fourth, eighth, and twelfth grades. These tests would be voluntary—but they might also be used for college and job applications.

To begin with, what do you think of the president's plan to let federal money follow children to private schools? You're known as an advocate of choice in education—is the president's version of choice what you had in mind?

D: The first thing to say is that I don't think there's any field other than education in which the president could announce a bold new plan for solving an age-old problem—and put no money behind it. "We're going to do away with heart disease by the year 2000, and this is our plan: we're going to ask doctors to work harder and more imaginatively!"

Not only doesn't the plan involve putting money into the public sector but it actually would remove funds from the public schools. And this at a time when forty-one out of fifty states are reducing their funding for education! It's an abandonment of public education—financially and politically.

Bush talks about his plan as a way of supporting "choice" in education. But what he's advocating isn't choice but privatization—the idea that schools would be better off if they were operated in a "free" private market. He's prepared to abandon public education, except as one "choice" among many on the market. If public schools were gutted in that fashion, their only value would be that they would still accept kids whom no private schools would take—a so-called "safety net." This would particularly be the case in economically and racially mixed communities, especially urban centers. The poorest members of society would find it impossible to get a good education in those circumstances; and *no one* would be able to get a democratic education—an education in which students of different backgrounds learned to understand each other, think about their differences, think about what they share; an education in which the society as a whole had a voice in shaping its future citizens.

The issue of "choice" has become so confused that I sometimes wish we could scrap the word entirely. It really refers to two different issues. For Bush and others, choice means competition, the "free market." When I've argued for choice, I've been arguing against the standardization, factory model of education, in which schools are ruled by a hierarchical bureaucratic system. This has nothing to do with abandoning public education. Choice, for me, is a strategy for creating more diverse and coherent educational communities, so that parents and teachers have a voice in the design of the community they want to join. It's a strategy for invention and innovation.

B: What do you think of Bush's plan to have private industry finance teams that would develop 535 new, experimental schools?

D: The idea that we need to have experimental schools seems to me a good one. When I heard Bush's slogan about "reinventing schools"—for a moment I thought, "He stole my line." But in Bush's version the reinvention of schools is tied to a

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political gimmick. None of the money is coming from the federal government—rather, corporations have "pledged" to raise it—so it's anybody's guess as to whether the money will actually come. How can the federal government announce a "bold new program" that depends on someone else's coming up with the money? And second, it's not the schools that will do the inventing. Instead, the prototypes will be the creation of "labs," removed from practice. School people, at best, will pick their model.

And if these new schools are created, how can other schools be expected to emulate them without a similar level of funding? The one contribution the feds are promising is a million dollars for each of the 535 schools. And remember that, according to Bush's plan, already existing schools would have even fewer funds than they do now—because students will have moved into private schools, and tax dollars will have followed them. Changing existing schools is more, not less, expensive than starting from scratch.

But that said, I don't want to give a purely negative view of this aspect of the plan. If they actually do stimulate the creation of 535 innovative schools, I would applaud that. It could have a powerful impact. Central Park East is always singled out as a rare example of a successful innovative school—but there are *many* good experimental schools, which aren't well enough known. So if these new schools were well publicized, people might think: if it could happen there, it could happen here. That's a best-case scenario; it assumes that we're not just rewarding 535 congressmen.

B: The third main feature of Bush's proposal is standardized national testing.

D: There are so many different things wrong with this idea that I don't know where to start. The reliance on standardized testing has driven education in a bad direction in the past, and to rely on it on a grander scale would only do more harm.

A great many people who understand that there's *something* wrong with standardized tests think that they do measure achievement but don't measure other important things—self-confidence, ethics, social development, and so on. Clearly they *don't* measure those things, but in fact they don't measure achievement either.

B: What's wrong with, say, a standardized reading test?

D: Standardized reading tests measure a variety of things, but reading is not among them. Students are given a sentence with one word missing, and they're asked to supply the word. Or they're given a paragraph, completely out of any context, and asked questions about that paragraph. Some students do well at such tests and some don't; there may or may not be a correlation between these results and students' ability to read. These test results certainly don't necessarily correspond with people who find the written word powerful, important, interesting, and accessible.

But that's not the biggest problem with these tests. To focus on, say, ability to answer multiple-choice questions as a *definition* of reading means that schools come to focus on it as a *method* of reading. Schools with children who tend to do well on these tests also expose the kids to real books, and have real discussions about the books; then maybe they also spend a day or two giving test practice. But schools with student bodies that don't have as much exposure to literacy at home, whose students tend to score lower on such tests, aim exclusively at preparing kids for the tests. It's precisely these children who most need to learn that the written word can have real power. They're deprived of the opportunity to experience that power in part because of this reductive definition of reading. So the problem isn't just that it's a bad definition but that its impact on education is precisely to further deprive the kids who most need to be introduced to the pleasures and rewards of reading.

A lot of the people who advocate national testing are calling for different kinds of assessment tools, which presumably would measure more important intellectual habits—through the use of portfolios, essays, and so on. Although I would find such an effort considerably less objectionable, I think that trying to create these sophisticated tools, trying to develop a consensus about them, trying to figure out how to standardize them, will be extraordinarily difficult or even impossible—not to mention expensive—both to develop and implement. And in order to standardize the national exam, you would have to further standardize the curriculum. And that would be a mistake.

If you take the idea of choice seriously, I think you end up looking toward different kinds of assessments—assessments developed at the level of the school. When we worked out our own standards of assessment at our school, it required a great deal of discussion and a great deal of time, but the time wasn't wasted, because through these discussions we were creating an educational community. It was a form of R&D, and a form of staff development. We were creating our own methods and values, thinking them through. And if some of our students disagree with our standards, they can argue about it with us, and we can either defend the standards or modify

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them after hearing them out. It's not something that was developed somewhere else, and that we're stuck with. If you're trying to persuade kids about the power of human reasoning, then it's important that the standards by which they're judged be accessible to their own reason, and open to their appeal. They need to accept responsibility for their education and thus to "own" the tools by which they're measured.

If Bush were serious about choice, then federal policy could begin to offer resources to schools to help them develop their own assessments. They could encourage it, and they could encourage family interest. Instead of "It's Saturday night—do you know where your kid is?," the question could be "Do you know what your school expects of your child as a reader? Do you agree?"

B: You've already started to answer my next question. What sort of federal intervention for education would you favor . . . if you were president?

D: First, I would make a lot more resources available, particularly to those communities that are least able to raise them locally. We have to equalize resources. The United States is a low, not a high, spender when it comes to schooling. There are many areas where the government has to put money. For instance, the physical condition of New York City schools is simply an outrage. There's no way to have good education in terribly overcrowded schools, where classes are being held in hallways and gyms, where the bathrooms don't work and the ceilings are falling in. It's a delusion to think that these things don't matter—that you can teach well in any setting. People with a genius for teaching may be able to teach well anywhere, and children who are hungry to learn may be able to learn anywhere, but you won't build many powerful school *communities* in conditions like that.

The second thing is that if we agree—and even the federal government pretends to agree with this—that for a school to be successful it must be a powerful community, with its own ethos, its own viewpoint, its own set of standards and expectations, many things follow. We need more choice *within public education,* and we need smaller schools. If you want to create a school-based community it's easiest to do so in a small setting. The optimum size, I think, is somewhere between two hundred and three hundred students. Federal policy can encourage smallness.

Federal policy could encourage deregulation in many areas. Not because the things being regulated are unimportant but because regulation doesn't often solve the problems. I think we could provide more money to low-income areas without all the paperwork to determine who is entitled to a free lunch and who isn't. We waste resources and complicate our lives by spending hours investigating our students' backgrounds to prove that our school is entitled to funds—when much grosser data can be used to decide where funds are needed. We'll make some mistakes that way, but we make at least as many mistakes as it is, and we pay more.

I think small schools, in which there is greater involvement of teachers and parents, tend to reduce the amount of waste and corruption—nothing can prevent it, but a face-to-face community can reduce it. Scale has something to do with accountability. So I think federal policy needs to sell the public on the idea of small institutions.

And, finally, the federal government could elevate the state of education by encouraging people to ask more interesting questions about their childrens' schools—and encouraging conditions in schools that would enable teachers to answer them. A true education president would use the bully pulpit to encourage parents, teachers, and students to become more thoughtful and intelligent decision-makers. But this requires more face-to-face involvement, more creativity on the school level—not more standardization. And it requires a spirit of financial commitment to education from the federal government—not a commitment to turn education over to the market. □

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Shaul Bakhash

DEMOCRACY IN THE ARAB WORLD?

George Bush hopes that his "new world order" in the wake of the Iraq war will include a measure of democratization in the Persian Gulf states and the larger Arab world. Calls for democratization have also come from people in the two countries most directly affected—Kuwait and Iraq—and in other regional states. The Democratic Forum, a loose formation of Kuwaiti opposition groups, has called on the emir of Kuwait to restore the constitution and reconvene parliament, permit basic freedoms of speech, assembly, and association, and extend suffrage to women. The loose alliance of Iraqi opposition groups that met (under unacknowledged Syrian auspices) in Beirut earlier this year called for a democratic Iraq, with free elections and a representative assembly. In an almost unprecedented move, forty-five Saudi businessmen and intellectuals published an open letter to King Fahd in April urging him to establish national and municipal consultative councils.

Saddam Hussein's invasion of Kuwait last August has sparked a broad debate in the Arab world on a range of issues. This is not yet the agonizing reappraisal that followed the Arab defeat in the 1967 Arab-Israeli war. On that occasion, Arab intellectuals tended to blame the defeat at least in part on the autocratic nature of Arab regimes, what they saw as an Arab infatuation with rhetoric, and the inclination of leaders in even radical Arab states to substitute lip service to revolutionary programs for the far-reaching transformation of Arab societies they had promised.[1]

Now, under different circumstances, a similar if less intense debate is under way. Arab intellectuals and sectors of the Arab press are once again using the Kuwait crisis to argue that Arab regimes need to open up their political systems, to create trust between rulers and ruled, and to permit greater public participation in decision making. Numerous Arab commentators have argued that the audacity of Saddam Hussein in even contemplating the invasion of Kuwait and the passivity of Kuwait's ruling family and its ruling classes are symptomatic of a malaise in the Arab world rooted in the unrepresentative, autocratic nature of most Arab regimes.

In this country, Edward Said, who in the past has often sought to depict the Arab world as caricatured and unfairly maligned by the Western media, recently noted that military regimes seemed everywhere prevalent in the Arab world and that, as a result, "civil society (universities, the media, and culture broadly speaking) has been swallowed up by political society." Said still blames this condition primarily on the West: "Much of it goes back to the sense of being unjustly treated," he writes. But Said also wonders whether "military force of one sort or another: huge armies, brassy slogans, bloody promises," was the only answer:

> I do not know a single Arab . . . who would not readily agree that the monopoly on coercion given the state and its army and police have almost completely obliterated democracy in the Arab world, introduced immense hostility between rulers and ruled, placed much higher value on conformity, opportunism, flattery and getting along than on risking new ideas, criticism or dissent.[2]

Several reasons are adduced as to why this is a good moment for liberalization. The ease with which Saddam Hussein swept through Kuwait, it is argued, underlines the weakness of narrow family-based regimes, which also prevail in Saudi Arabia and other Persian Gulf states. The people of Iraq, or at least the Shi'ites among them, have exploded the myth of Iraqi support for Saddam Hussein. The United States is well placed to pressure the conservative Arab regimes it has defended to liberalize. In the past two years Egypt, Jordan, Algeria, and Tunisia have held parliamentary elections, permitted participation of opposition parties, and are tolerating such opposition in parliament—without dire consequences. In the ideology of so-called Islamic "fundamentalists," it is said, there is room for more open political systems. Everywhere, educated middle classes are clamoring for liberalization. So run the arguments.

Yet the obstacles to democratization are formidable. In Iraq and Syria, the violence and brutality that characterized the rise of the Baath to power is by now woven into the very fabric of Baath party rule. In Iraq the return of the Baath party to power in July 1968 was inaugurated with the kind of judicial murder that reflected at once the paranoia of the

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regime, its readiness to use violence against its own citizens, and its policy of turning state violence into public spectacle as a way of cowing the population. Iraq flaunts in public what other police states prefer to do in secret.

Five months after seizing power, the government announced it had smashed a major "spy ring." Fourteen persons, eleven of them Jews, were publicly hanged and their bodies left to dangle before crowds, often numbering hundreds of thousands, in Liberation Square. Similar "plots" were uncovered in the following years, and scores were executed, often after making the requisite and abject public "confessions." Businessmen, intellectuals, professional people, Shi'ites, "spies" for Iran, were jailed, executed, or simply disappeared as the Baath systematically eliminated potential sources of opposition.

Two weeks after Saddam himself achieved supreme power in June 1979, he convened a meeting of high government and party officials and denounced a large number of "traitors." Many of them were top party officials and long-term Saddam associates. Each "traitor" was dragged away as his name was read. As many as five hundred persons—including one-third of the members of the Revolutionary Command Council—were shot. Saddam was reported to have required high government and party officials to join him in personally carrying out some of the executions.[3]

When Saddam Hussein used poison gas against his Kurdish population in the closing weeks of the Iran-Iraq war and killed several thousand people in the village of Halabjeh, this received wide publicity. But the international community paid little attention to the large-scale and destructive relocation of Iraq's Kurdish population, often involving whole villages, that followed.

The record of Hafez al-Asad in Syria is characterized by a similar culture of violence. This is carefully recorded in Patrick Seale's on-the-whole sympathetic biography of the Syrian leader.[4] Asad was one of the small cabal of Baath officers who seized power in 1968. A murderous intraparty war followed. One by one virtually all of Asad's original co-conspirators were eliminated. In 1982, faced with a serious uprising by the Islamic Brotherhood in the city of Hama, Asad sent his army into the city. The rebellion was crushed. Much of the city was flattened. At a conservative estimate, five thousand to ten thousand persons were killed. This was another instance of violence as spectacle or exemplary punishment. The highway from Damascus to Hama was then opened, so Syrians could witness firsthand the retribution that would be visited on those who challenged the regime. Seale writes:

> Habits of arbitrary rule acquired in the struggle for survival proved addictive. . . . Unleashing Special Forces on whole communities, using tank fire against residential quarters, slaughtering prisoners, arming civilian supporters, shooting suspects or, what was scarcely better, hauling them in batches before field courts—this slide into brutality swept aside any semblance of the due process of law.[5]

New York Times reporter Thomas Friedman recalls visiting a neighborhood of Hama, now looking like "a plowed up cornfield," after the uprising, where he encountered an old man:

> "Where are all the houses that once stood here?" we stopped and asked.
> "You are driving on them," he said.
> "But where are all the people who used to live here?" I said.
> "You are probably driving on some of them too," he mumbled, and then continued to shuffle away.[6]

Friedman argues that regimes in the Middle East are the product of three different but intertwined traditions: tribalism, authoritarianism, and the culture of the modernizing bureaucracies. Tribalism is characterized by the belief that resources are scarce; that you need power to secure enough for yourself, your kin, and your tribe; and that to survive you must punish and make an example of those who would trespass on your tribe's, clan's, or family's space. In the authoritarian tradition, itself the product of societies divided along tribal, ethnic, confessional, and other lines, power is concentrated in one man who can maintain order and whom all are expected to obey. The modernizing bureaucracies are determined to use centralized power to create modern nation-states in countries where state traditions are weak or nonexistent. This, too, is a formula for considerable concentration of power in the hands of a ruling group.

According to Friedman, Saddam and Asad have represented each of these three traditions at different times, and most often all three at once. Whatever the tradition into which they fit, it is unlikely that either Asad or Saddam Hussein will willingly share power, permit even a modicum of political freedoms, or allow public accounting of the past misuse of power. In the aftermath of the Gulf War, even when bloodied, defeated, and under international scrutiny, Saddam showed once again he would not hesitate to exact a terrible vengeance on those—Shi'ites and Kurds—who would challenge his authority or demand a share of political power.

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Scholars have long contemplated the paradox of Middle Eastern states with strong middle classes yet weak civil societies. In country after country, the middle class has grown as a result of the spread of education, urbanization, the expansion of white-collar jobs and the professions, and improvement in living standards, particularly in the oil-rich states. Moreover, in most Middle Eastern societies there already existed a well-entrenched traditional middle class of merchants, traders, shopkeepers, and small business owners. The existence of this middle class has led some students of the region to argue that many Middle Eastern societies are ripe for liberalization.

A persuasive argument of this kind, at least in the case of Iraq, has been advanced by the Iraqi exile writer Samir al-Khalil.[7] In a recent article he noted that a secular, federated, and democratic Iraq is not only necessary to save the country from further destruction but entirely feasible. Iraq, he wrote, is today a country of seventeen million people,

> most of whom live in cities, follow modern ways, and have never known anything other than an urban way of life. The literacy rate in Iraq today is one of the highest in the third world. . . . Ten years ago . . . women accounted for 46 percent of all teachers, 29 percent of all doctors, 46 percent of all dentists, and 70 percent of all pharmacists in the country.[8]

Khalil's argument is in many ways compelling. But there are also large middle classes in Iran, Egypt, Syria, Jordan, and most of the oil-rich Gulf states. If the presence of an educated, urbanized middle class were sufficient for democratization, then prerevolution Iran would have been a prime candidate. Yet when the revolution came and the shah was overthrown, royal autocracy was replaced by a quasi theocracy of considerable repressiveness. The clerics play a somewhat unique role in Iran, so that Khomeini's prestige and his hold on the masses was immense in the early years of the revolution. Nevertheless, it is striking that the secular parties and middle-class groups that helped overthrow the shah were so ineffective in preventing the imposition of a regime little to their liking.

In Iran the shah had weakened the middle class and all professional associations. Political parties were abolished and replaced by an ineffective one-party system. The labor unions had little independence. The guilds were brought under state control. Even the president of the Teheran chamber of commerce, hardly a hotbed of opposition, was "elected" by the members only with the shah's approval. In his recent book, *A History of the Arab Peoples*, Albert Hourani describes a Middle East in which, in the nineteenth century and in the early decades of this century, power was exercised through an alliance between the ruler and local notables and merchant, landowning, and clerical elites. These elites served their own interests but also had roots in various constituencies in society.

In Iran, as in the Arab world, the autonomy of these elite networks was largely eroded by the shah and his bureaucracy. If in the early 1960s there were still politicians in cabinet posts in Iran who had some public following exercised through elite networks, by 1970 the Iranian cabinet was composed primarily of technocrats, and these technocrats/managers had few political links with society. Unlike their predecessors of a previous generation, they could not mobilize the bazaar, the guilds, the clerics, and, through them, larger constituencies. The example of Iran is replicated, with local variations, in Egypt, Iraq, Algeria, and other Middle Eastern states.

The failure of the middle classes to achieve political power can be explained in other ways. A significant portion of the middle class—the technocrats, economists, administrators—have been absorbed into the civil service. This "state bourgeoisie" is clearly little inclined to overthrow the state or to challenge its authority. The entrepreneurial class was either greatly weakened, as after the revolutions in Algeria, Iraq, and Iran, or kept largely dependent on subsidies, tariff protection, closed markets, preferential loans, and other measures of state policy. This situation obtained in Iran under the shah and in Egypt, following President Sadat's *infitah*, or open-door economic policy. The large and significant class of the petty bourgeoisie of shopkeepers, traders, and small merchants has generally benefited from the policies of "state socialism." The destruction or weakening of the industrial entrepreneurs, big merchants, and great landowners created space, or interstices, that petty capitalists and the smaller merchants and traders occupied.[9]

Nor are the middle classes necessarily a force for political liberalization. John Waterbury and Alan Richards, two American academics, argue that the middle classes seek empowerment. But its members are of many minds, and might as easily support an authoritarian as an open political system. The middle classes, these scholars write,

> want direct responsibility for governance, not merely co-optation by praetorians and authoritarians. Many may seek empowerment through militant Islam with greater or lesser degrees of sincerity or hypocrisy. There is, in any case, no reason to expect them to be committed liberals. Authoritarianism may find favor with them as long as they have a meaningful role in it.[10]

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As Richards and Waterbury suggest, the middle classes have not been entirely powerless. In Egypt they have been able to influence economic policy, or at least limit the government's "socialist" excesses. In Iran, middle-class landowners helped defeat a postrevolution land distribution program. Pressure from elements among the educated middle classes, as well as widespread dissatisfaction among lower classes as a result of declining economic prospects, explains the willingness of governments in Jordan, Egypt, Tunisia, and Algeria to permit freer elections and opposition participation in parliament.

These developments, however, are not necessarily a bellwether of future trends. The political opening in all four countries is still extremely narrow. Parties permitted to participate in the electoral process are still carefully vetted and elections carefully controlled. The electoral law was designed to favor the government parties in Egypt and Tunisia; in Tunisia the government party won all 141 seats in the Chamber of Deputies. There is little guarantee the clamps on political activity will not be tightened again, once governments feel stronger. In Egypt President Mubarak has already begun to reimpose his control. In Jordan no one yet dares disagree with the king.

This small political opening, moreover, appears to have favored Islamic groups and parties. In Egypt, in the 1987 elections the Muslim Brethren increased their representation in the People's Assembly. In Tunisia, affiliates of the Islamic al-Nahda party, running as independents, garnered nearly 15 percent of the vote in the national elections in April 1990 and 30 percent in the municipal council elections that followed. In Algeria the Islamic Salvation Front won over two-thirds of the regional assemblies and over half of the municipal councils in the June 1990 elections. In Jordan the Islamic groups and their supporters won thirty-two of eighty seats in the lower house last year.

In conditions of limited political freedom the clerics, with their mosques and religious schools, their experience in instruction, and their closer contacts with the urban working class and rural inhabitants, have proved far more adept at mobilizing votes and public opinion than the middle and professional classes. Although left-wing or centrist opposition groups argue that government policies have deliberately favored the Islamic as against the left-wing parties (this clearly was the case in Jordan), these results nevertheless suggest that the Islamic parties have most to gain from greater political freedom

Leonard Binder of the University of California proceeds on this assumption in his recent and interesting book, *Islamic Liberalism*.[11] Binder looks primarily to the increasing size of the bourgeoisie in Middle Eastern states. Although few would agree, he argues that some Middle Eastern countries can already be described as "bourgeois states," or at least "embryonic bourgeois states." But because of the strength and wide appeal of Islam, Binder argues, political liberalism will not succeed in the Middle East without "a vigorous Islamic liberalism." He seeks to discover whether the ideology of the thinkers of the Islamic revival provides grounds for believing such an "Islamic liberalism exists" and whether secular liberals may find allies among the Islamicists for a more liberal politics.

Although Binder is guardedly optimistic, it is significant that his optimism is grounded not in the ideas of those he describes as Islamic "fundamentalists" or those closest to the Islamic leaders involved in politics and forming the local leadership but in thinkers like the Moroccan intellectual Abdallah Laroui. Laroui seeks a dialogue with Western liberalism and a synthesis of Islamic and Middle Eastern traditions and liberalism. But Laroui is French educated, writes for the elite, is little involved in hands-on politics, and has little following in those elements of the urban population among whom the clerical parties garner their largest following. Binder does not share the view that the "masses" are potential supporters of the liberal, democratic state. He concludes that "the situation is not hopeless, but neither is the time quite right"[12] for the emergence of truly liberal regimes.

In the Persian Gulf states of Saudi Arabia and Kuwait, ruling families have generally preferred informal consultation with some elements in the elite to the establishment of formal representative institutions. In Saudi Arabia such institutions do not exist. In Kuwait an assembly with limited powers based on a limited franchise was dissolved in 1976, reconvened in 1981, and again dissolved in 1986, on both occasions because the deputies were too vigorous in asserting their prerogatives and in criticizing the government. By 1986 the ruling family itself was coming under attack.

It remains to be seen whether, having regained his country, the emir will permit a resumption of parliamentary life, as he has promised to do. In Kuwait there is at least a parliamentary tradition, however brief. In Saudi Arabia there is little prospect the king will permit an elected parliament. In both countries public scrutiny of royal family finances, which can hardly be avoided if representative bodies enjoy autonomy and freedom of speech,

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could prove embarrassing. Moreover, preoccupied with the Palestinian issue, the Kurdish problem, and a final settlement with Iraq, it seems unlikely that the Bush administration will press either the Saudis or the Sabah family very hard in behalf of political liberalization.

In at least two states—Iran and Egypt—the parliamentary tradition is older, more continuous, and therefore stronger. Iran's ayatollahs run a repressive regime and allow virtually no freedom to opposition political groups. But the Majlis, or parliament, remains a vigorous forum for debate, although participation is limited to competing factions within the ruling group. Egypt may be entering the stage, according to Albert Hourani, where, like Turkey, periods of more open parliamentary politics will alternate with periods of military rule. Again, the openings are narrow. If hope for liberal regimes derives primarily from the emergence of middle classes with new ideas, or at least those elements in the middle classes committed to political liberalism, these groups everywhere face a dilemma. The commitment to the principle of one man (and one woman)-one vote could well mean empowerment of groups hostile to democratic procedures. And although even such groups may learn, over time, the advantages of political pluralism, free elections, and a free press, this requires a consensus regarding a process of gradual liberalization—a consensus that is nowhere evident.

Notes

[1] The best summary of the post-1967 debate is in chapter one of Fouad Ajami's *The Arab Predicament: Arab Political Thought and Practice Since 1967* (Cambridge: Cambridge University Press, 1981).

[2] Edward Said, "Empire of Sand," the *Guardian*, January 12–13, 1991.

[3] The meeting at which the "traitors" were denounced was filmed and shown to party cadres across the country. The event is graphically described in Judith Miller and Laurie Mylroie, *Saddam Hussein and the Crisis in the Gulf* (New York: Times Books, 1990), pp. 42–46.

[4] Patrick Seale, *Asad: The Struggle for the Middle East* (Berkeley and Los Angeles: University of California Press, 1989).

[5] Seale, Ibid., p. 338.

[6] Thomas Friedman, *From Beirut to Jerusalem* (New York: Farar Straus Giroux, 1989), pp. 86–87.

[7] Samir al-Khalil's *Republic of Fear: The Politics of Modern Iraq* (Berkeley and Los Angeles: University of California Press, 1989) was virtually ignored when it was first published. But his passionate description of the degradation of moral and political standards that have resulted from two decades of Baath rule has recently attracted much attention.

[8] Samir al-Khalil, "Iraq and its Future," *New York Review of Books,* April 11, 1991.

[9] A good summary of recent scholarship on the role of the bourgeoisie in Middle East states can be found in Alan Richards and John Waterbury, *A Political Economy of the Middle East: State, Class, and Economic Development* (Boulder: Westview Press, 1990). See especially pp. 99–100, 216–17, and 409–16.

[10] *A Political Economy of the Middle East*, p. 437.

[11] Leonard Binder, *Islamic Liberalism: A Critique of Development Ideologies* (Chicago: University of Chicago Press, 1990).

[12] Ibid., p. 358.

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Jonathan Frankel

INTO YEAR FOUR OF THE INTIFADA

A Letter from Jerusalem

It is now more than three years since I sent a report from Israel to *Dissent*. That article was composed under the impact of the intifada, then (late January 1988) still in its earliest stages. As a historian, I suffer from the occupational disease of the profession: a reluctance to commit myself to predictions likely to be contradicted even before they appear in print. But at that time, I shared the widespread feeling in Israel that we were witnessing events of momentous importance and that I really had to venture some guesses about the future.

My predictions about specific issues have held up rather well, but the central theory to which everything else was meant to lead, has—hitherto at least—proved to be totally wrong (A− or B+ for the details; F for the conclusions).

One guess that turned out to be correct was that the intifada was no passing episode, that "the Palestinians can hardly turn back now. Doubtless, one will witness periods of relative quiet . . . but in all probability they will be mere lulls in the storm." The last three years have certainly brought home to the person in the street that a " 'Greater Israel' is no guarantee whatever of a quiet life." As one taxi driver said to me the other day (taxi drivers are widely quoted by the Israeli intelligentsia): "The intifada keeps going on; people are not going to the territories. Tourists are staying away. Christian pilgrims want to go to East Jerusalem, Hebron, Bethlehem. We have a very big problem."

What was then only an incipient problem—"[T]he uprising has, to a significant extent and de facto, restored the 'green line' or pre-1967 borders"—has meanwhile become an entrenched reality. Over the last months, the army, anxious to prevent still more violence, has frequently felt compelled for a day or days at a time to forbid the entry into Israel of all the Arabs from the Occupied Territories. And almost no Israelis venture into the Arab section of the Old City, let alone the territories, unless they have a very specific reason for doing so.

Where I went wrong was in my argument that the intifada as a long-term phenomenon would make it increasingly difficult and eventually impossible for the Likud party to persist in its policy of "creeping annexation." With the supply of cheap and submissive Arab labor increasingly disrupted by strikes and violence; with the costs of the occupation (in money and strains on the army) greatly increased; and with the territories no longer a source of tourist revenues or even much of a market for Israeli goods, surely a radical change of policy would become inevitable? Or as I put it at the time:

> Public demand for clear-cut answers is bound to grow. And the choice will increasingly narrow down to either the idea of expulsion . . . or evacuation. . . . Polarization will erode the middle ground hitherto occupied by the Likud. . . . It is a safe guess that if the Likud remains in a coalition with Labor it will sooner or later have to modify some of its positions. . . . To avoid a surrender of land the Likud (like Labor) might well . . . move a long way toward Palestinian home rule in the territories.

For about two years it looked as though the second, more optimistic of the two scenarios was unfolding, slowly, painfully, but perceptibly. Following the elections of November 1988, Yitzhak Shamir, the Likud leader, after six weeks of bargaining, decided against a narrow right-wing government, opting instead for a renewal of the coalition with Labor.

The accepted wisdom at the time was that Shamir had found a common language with Yitzhak Rabin and preferred to work in close consultation with him to the exclusion of Shimon Peres, on the one hand, and Ariel Sharon and David Levy, on the other. In the new government Peres found himself with the thankless task of finance minister, having been replaced in the Ministry of Foreign Affairs by Moshe Arens; Rabin, in contrast, retained the powerful post of defense minister (which means serving as overlord of the Occupied Territories). Levy was left

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with housing and Sharon with trade and industry, both second-rank posts.

On May 14, 1989, the government endorsed a new peace plan. Generally understood to have been initiated by Rabin but adopted by Shamir, it was based on the idea of free and democratic elections by the Palestinians in the occupied areas. The representatives thus elected would negotiate an autonomous form of Palestinian administration to last five years, during which time a permanent solution would be sought. This added up to a variation on the Camp David treaty, but one that would permit the Palestinians to have a larger say in the negotiations than envisaged in the Israel-Egyptian peace agreement of 1979. In the Israeli political context, it had the enormous advantage of representing the lowest common denominator on which the Likud and Labor could agree—symptomatically, it was opposed in the government by Levy and Sharon on the right and by Ezer Weizman on the left. Sharon and company declared that the plan constituted a large step toward a Palestinian state; Weizman argued that by seeking to exclude the Palestinian Liberation Organization (PLO) it was doomed to failure.

For the next ten months, it looked as though this proposal, soon known as the Shamir peace plan, had set in motion a snowball effect. The new Bush administration decided that the idea should become the cornerstone of a new peace initiative. Secretary of State George Shultz had failed with a maximalist approach—an international peace conference based on the principle of "territories for peace." Had not the time come, perhaps, for a minimalist approach?

If Shamir were taken at his word, might he not prove to be another example of a hawk turned peacemaker, a de Gaulle (Algeria), a Nixon (China), a Begin (Egypt)? The Likud had run its election campaign in the fall of 1988 under the slogan "Only the Likud Can!", implying that while the Labor party talked peace, it was the Likud that made it. (The sexual overtones of the slogan—Likud virility, Labor impotence—were simply a bonus.)

Urged on by Egypt, the PLO now gave many signs that it was ready to accept the rules of the new diplomatic game. In December 1988, Arafat, in the name of the PLO, had declared the acceptance of U.N. resolutions 242 and 338 and pledged an end to acts of terrorism. So doing, he had opened the way to the decision by George Shultz (by then a lame duck) to initiate an official dialogue between the U.S. government and the PLO. What appeared to be developing in the latter half of 1989 was an indirect form of negotiations between Tunis and Jerusalem, with the United States, Egypt, and Labor party members all seeking ways to bridge the gap, while honoring Shamir's wish that he remain untouched by the process.

A tripartite conference in Cairo was planned for early 1990 to bring together the foreign secretaries of Egypt and Israel with Secretary of State James Baker. That meeting would decide on the composition of the Palestinian delegation to negotiate with Israel about the modalities of the election in the Occupied Territories.

On the Israeli left a mood of cautious optimism could be felt in those months of late 1989 and early 1990. Yossi Sarid, Israel's most brilliant parliamentarian, even stated that the peace bandwagon was accelerating too fast to be stopped. In December 1989, in a festive demonstration organized by Peace Now, many thousands of Jews and Arabs, calling for reconciliation, linked hands around the Old City of Jerusalem. That the police fired plastic bullets into, and stampeded, part of the crowd near the Damascus Gate only seemed to underline the fact that with crucial decisions on the way, nerves were becoming frayed. On December 31, 1989, Shamir dismissed Ezer Weizman from the government for "maintaining contacts with Israel's worst enemies," but a couple of days later he decided to reinstate him (although no longer as a member of the inner cabinet). In February, in another sign of growing tension, Ariel Sharon resigned from the government.

This accelerating process was brought to an abrupt halt by the decision of Israeli Prime Minister Shamir to reject a key element in Baker's package: the participation in the Palestinian delegation of at least one East Jerusalem resident and one exile returned from abroad. Since Egypt and the PLO had long made it clear that this was one point on which they could not yield, Shamir's action had a clear finality. The Labor party had long threatened to leave the government if the Likud sabotaged the peace process and, as a result, the government fell to a vote of no confidence on March 15, 1990, by 60 to 55.

Peres was asked by President Chaim Herzog to form a government, and for a brief period it looked as though Labor would lead a new coalition based on the support of the so-called left, on one side, and the ultra-Orthodox parties on the other. This combination, however improbable on the face of it, appeared to have a certain logic. A number of the leaders of the ultra-Orthodox (non-Zionist) camp, such as the rabbis Ovadya Yosef and Eliezer Shakh, had expressed themselves publicly that it was religiously mandated to yield territory for peace and security. I heard it argued that the leaders of such parties as Aguda had (going all the way back to interwar Poland) always felt a healthy respect for the powers-that-be (that is, the "goyim") and that they

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would not now be ready to follow Shamir into a head-on collision with the United States led by two Texans like Bush and Baker.

Such speculation proved to be illusory. A furious revolt broke out in the ranks of one of the major ultra-Orthodox parties, Shas, when it was contemplating an alliance with Labor. The membership, essentially of North African origin, was clearly moved by a profound antipathy for the secularism, westernism, and moderation vis-à-vis the Arabs that (rightly or wrongly) it associates with Labor—as well as by the notorious personal aversion to Shimon Peres. For his part, Rabbi Shakh (spiritual leader of the Lithuanian yeshiva movement in Israel) finally ordered his small party (Degel Hatorah) to opt for the Likud, declaring in a speech (half Hebrew, half Yiddish) that the members of the kibbutz movement can hardly be considered Jews at all. To cap it all, the Lubavicher rebbe intervened from Brooklyn (he has never set foot in Israel and apparently does not intend to until the Messiah comes), encouraging two members of the Aguda to break party ranks, thus finally aborting Labor's chances. After almost three months of hard bargaining, Shamir was able to present his narrow right-wing government to the Knesset where it won by 62 to 57.

With the wisdom of hindsight, we can now see that in fact the decisive moment in this story came not in March 1990 but many months earlier. On a hot summer night in July 1989, the central committee of the Likud had been called together in the Tel Aviv Exhibition Grounds for what was expected to be a showdown between Yitzhak Shamir and Ariel Sharon. Shamir was to demand an endorsement of the government's peace initiative; Sharon was to oppose him by calling on the party to impose various conditions (or "restraints") on that initiative.

The Likud central committee, made up of some 2,500 delegates, is a notoriously unpredictable, unruly, and even potentially violent body; and there was every reason to expect a repetition of previous such confrontations, when the Israeli public had been presented with pictures of the massive figure of Sharon looming menacingly over a pocket-size prime minister unable to make himself heard amid the uproar.

But an agreement was reached at the very last moment between the two men. Sharon agreed not to insist on an opposition vote; Shamir, in exchange, incorporated Sharon's conditions into his extremely hawkish speech: East Jerusalem Arabs, he declared, would not be able to vote in the proposed elections; Jewish settlement in the areas was to continue uninterrupted during the negotiating process; and it had to be made clear that a final agreement could not include the establishment of a Palestinian state.

These conditions, if understood to be nonnegotiable, were enough to ensure the ultimate failure of the peace process. A major crisis now threatened both the unity of the government—Labor seriously considered abandoning the coalition—and relations with the United States administration, which saw its peace initiative about to disintegrate.

The way in which Shamir handled this crisis can be seen as a classic example of his entire modus operandi. He now insisted that a decision taken by the party, even though endorsed by the prime minister and the other Likud ministers, had nothing to do with the government. He repeatedly declared that what the Likud had decided "did not constitute a change in the government's diplomatic initiative."

After about two weeks of such ducking and weaving, Shamir brought the matter to the cabinet, which carried a resolution (over the votes of Sharon, Levy, and Yitzhak Modai) declaring that "the peace initiative . . . [of] May 14 stands and remains in force with no additions and no alterations." Asked to explain how the party decision could be reconciled with that of the government—the one patently contradicted the other—Shamir declared that "all the decisions taken by my movement are valid for the future." It was on the basis of these casuistic but convenient evasions that the "peace process," the coalition, and close relations with the Bush administration were kept intact for another eight months.

It turns out that the frequent tendency to underrate Yitzhak Shamir as a politician, to regard him as indecisive or as lacking the quality of leadership is a major mistake. He does not have a charismatic presence; he is reluctant to confront someone like Sharon head on, especially at large party forums. But he is a man who knows exactly what he wants and has proved extraordinarily successful at achieving it.

He is a true believer, a fanatic, with regard to aims, but highly calculating, a first-class poker player, when it comes to means. His one overriding goal is to maintain Israeli possession of all the Occupied Territories. He would be willing to grant the Palestinian Arabs a limited measure of local self-government if he were convinced that such a step would not open the door to ever-increasing autonomy and eventually even to a Palestinian state. However, given the fact that the Palestinian Arabs inevitably seek to rid themselves of Israeli rule, there can be no way of ensuring that they could be fobbed

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off indefinitely with minor concessions ("running their own garbage disposal," as we often say here).

Having to work within these narrow parameters, Shamir has developed a number of techniques and fall-back positions. Unless driven into a corner by some critical situation, he prefers to let sleeping dogs lie and not even to hint at moderation. What land Israel holds it should keep and where practicable, without causing too much uproar, settle with Jewish villages and towns. Israel held on to a large section of Lebanese territory, despite heavy losses to its troops, until he was replaced by Peres as prime minister in 1984. And he did everything he could to delay the return to Egypt of the tiny strip of sand at Taba, even though the peace treaty had called for the issue to be settled by international arbitration. The bitterness that he sometimes expresses over this loss (and his tendency to blame it on Peres, who was then minister of foreign affairs) has about it a touch of the pathological.

It has to be remembered that ever since Shamir arrived in the country some fifty-five years ago he has persistently opposed the compromise agreements that have enabled this small people situated in a hostile political environment to escape isolation—in particular, the U.N. partition plan of 1947 and the Camp David peace treaty of 1979. (An important key to deciphering the man surely lies in the fact that in 1940 he chose to join the most extreme splinter faction, the Lehi, which alone during the Second World War refused to declare a truce in the armed struggle against the British in order to allow the Allied campaign against Hitler to proceed unhindered.)

When Shamir finds that he is forced to take a stand on a peace initiative, he falls back on a wide range of tactics. Sometimes he chooses a procedural issue, declaring it totally unacceptable. In particular, he has made it a point to reject any form of international conference as highly dangerous to Israel. He does this even when Israel has been provided with all kinds of guarantees that such a conference would not be able to dictate terms to the parties involved. The London agreement of 1987 between King Hussein of Jordan and Peres, as well as the Shultz mission of 1988, were both given short shrift on these grounds. And the issue has been raised again by Shamir, in the context of Baker's peace plans developed since the Gulf War (even though David Levy, now foreign minister, has meanwhile switched from the extreme hawkish to the dovish wing of the Likud). The fact is that the last such international conference, held in Geneva in 1973, provided a convenient and harmless background to Henry Kissinger's shuttle diplomacy of the mid-1970s.

Then, too, there are Shamir's own diplomatic initiatives of which we have so far witnessed two—that of May 1989 and the one set in motion this spring following the defeat of Iraq. In advancing his proposals (in the one case for the elections, in the other for a two-tier peace process involving the Arab states and the Palestinians simultaneously), he no doubt sought to win a central place for Israel in American diplomatic strategies; to enhance Israel's flagging popularity in the West, particularly in the United States; to gain time; and, last but not least, to hit the ball into the other court on the assumption that the Arabs can normally be counted upon to come up with their own extremist demands.

If, nonetheless, the ball comes back, it is always possible to produce some new technicality to stop play altogether, which is what Shamir did in March 1990. And just to make sure that progress can be aborted, still another technique is available: outrageous statements can be issued or provocative actions launched. The prize *obiter dictum* during the recent flurry of talks here in Jerusalem was probably Shamir's remark that he was certainly in favor of Israeli-Syrian negotiations without any preconditions: "Syria will ask for the return of the Golan Heights, and we will say no!" As for action, the establishment of a much-publicized new settlement in the West Bank can always be guaranteed to slow things down still more.

From Shamir's point of view, his record is a remarkable success story. His Likud is now in complete control of the government, and the smaller coalition partners are reluctant to rock the boat, knowing that a coalition with Labor is always an alternative. In turn, the Likud's hold on its own constituency appears to be unshaken. And that constituency is increasing in size, fed as it is by the growth of the oriental community; by the tendency of the youth to become more hawkish the more the internal security situation deteriorates; and by the mass immigration of Soviet Jews, who are in large part imbued with the chauvinistic values prevalent in the crumbling USSR.

And by now, of course, the intifada has become part of the routine of life: a nagging nuisance but no longer seen as unmanageable. After all, the Western media have long lost interest in it, thus relieving the pressure on Israel. The Israeli economy is damaged marginally, but incomparably greater hardship is suffered by the Palestinian population itself. And increasingly the uprising is becoming bogged down in intra-Arab strife. By now some 350 Palestinians have been killed as "collaborators," despite calls

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from the leadership to halt what could easily become an uncontrollable spiral of violence. It is impossible not to regret the fact that the intifada has with time strayed ever further from the path of mass but nonviolent protest advocated by Mubarak Awad, which would have been far harder to suppress. (Awad, of course, was expelled by the Israeli authorities in June 1988.)

Meanwhile, the murder of Israeli Jews by knifing, shooting, and bus attacks provokes eruptions of grief and anger in Israeli society—they clearly call up collective memories of pogroms and Nazi atrocities—but the political beneficiaries, if any, of this reaction are more likely to be the radical right than Labor.

Beyond this, Shamir has demonstrated as no other Israeli leader had ever dreamed of doing that it is possible to defy the American leadership persistently and fundamentally while nonetheless surviving. He has sent Shultz packing; has given a negative answer to Baker's questions in 1990; and would no doubt like to do the same again in 1991. Yet congressional support for Israel remains firm; the annual package of aid has not been reduced; and, judging by past experience, will not be cut down in the future either.

During the Gulf War Shamir led the country with admirable moderation, showing that when the territorial obsession is not involved he has a clear mind and a steady hand. There were many voices in the Israeli elite, including leading members of the Labor party such as Ezer Weizman and Yanosh Ben-Gal (both ex-military commanders) who insisted that Israel had to respond to the Scud missiles by an attack on Iraq. There was also pressure from within the armed forces themselves (although, it seems, not from Chief of Staff Dan Shomron). And Ariel Sharon, of course, was constantly urging a military response.

Shamir withstood all such pressure and kept the country out of the war. An important side effect of this decision was that no attempt could be made to use the cover of battle to drive part of the Arab population out of the territories into Jordan. The policy of "transfer" (now openly represented in the Shamir government by Rehavam Zeevi's Moledet party) can in all probability become a real option only in the heat of combat, and for those on the extreme right an opportunity was thus missed last January and February. The Palestinian population for many weeks was subjected to a draconian and cruel curfew, but as a result they stayed put, with their towns and villages intact.

While Israel came out of the war with heightened international prestige, with its armed forces intact (indeed strengthened by additional U.S. aid), and with the knowledge that the most powerful Arab army in the Middle East had been largely destroyed, the PLO emerged in disarray. What drove Arafat to associate himself and his movement so totally with Saddam Hussein remains something of a mystery. Did he expect the war to be averted at the last moment? Or did he anticipate a long struggle and an indecisive conclusion? Or was he simply following Palestinian public opinion, attempting to ensure internal unity and his own leadership? Whatever the answer, it has lent a new credibility to the efforts of the Likud spokesmen to demonize the PLO.

One of Shamir's better-known statements in recent times was his declaration that a Greater Israel is needed to receive the immigration from the Soviet Union. From the Likud's perspective, the hundreds of thousands of Soviet Jews who have arrived can be expected to provide the answer to the "demographic problem." Professional demographers dispute this view, pointing out that the increase in the Arab population is so rapid that in the long run the Russian immigration will not make a major difference. In the short run, however, the Likud, which has always sought to downplay the demographic issue, has received a major morale boost. And it is hardly surprising that it is determined to settle a significant number of Soviet Jews in the Occupied Territories, whatever the costs.

The underlying problems facing Israel remain and can be expected to get worse. In large part because of its defiant foreign policy, the huge loans required to settle the immigrant masses may not be forthcoming. Unemployment is rising fast; housing shortages are acute; the rate of immigration is already down to half of what was predicted for this spring. But none of this is likely to shake Shamir's confidence; Israel's grip on the territories is firm and becoming firmer. The Likud is still holding the center ground and shows no signs of being dislodged. Creeping annexation is turning into a gallop.

The recent period has witnessed the liberation of Eastern Europe from Soviet domination, the crisis of communism in the USSR, the collapse of apartheid in South Africa, the end of the civil war in Nicaragua, the promise of political settlements in Cambodia and El Salvador, even intercommunal talks in Northern Ireland. In such a period, only a fool would predict that Shamir's type of policies will dominate Israel indefinitely (after all, is massive U.S. pressure to be regarded as a total impossibility?). But, in the meantime, those policies look far more viable than I expected some three years ago.

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The kind of Israel that is being entrenched today is best described in Meron Benvenisti's prognostications, which most of us in the "dovish" camp have been reluctant to accept—a country in which two hostile peoples are caught up in a pitiless and unending "tribal war," atavistic and primordial. For Shamir, who reached Palestine from an Eastern Europe engulfed in every kind of interethnic hatred, it seems that ultimately no other option carries the weight of reality. □

Robert A. Dahl and Ian Shapiro

IMPRESSIONS FROM THE SOVIET UNION

In mid-March a conference on the subject "From Totalitarianism to Democracy" was held under the auspices of the Academy of Social Sciences in Moscow. Unlike the renowned Academy of Sciences, the Academy of Social Sciences is a teaching and research institute attached to the Central Committee of the Communist party of the Soviet Union (CPSU). Until recently it was a party school for training apparatchiks. But in response to the quicksand that has come to characterize the Soviet landscape during the last year, it is now seeking an independent identity

The members of the audience, mainly academics, came from over a hundred different cities throughout the Soviet Union. The speakers included not only Soviet academics, middle- to high-level government officials, and party activists of various stripes, but lawyers working on draft constitutional proposals and members of the democratic parties opposing the CPSU. In a break with the pre-*glasnost* past, the speakers also included six American political scientists, all from Yale, and including ourselves.

Glasnost is real: freedom of speech and intellectual freedoms are now taken for granted and put to use in many walks of life without visible signs of fear. At no time did we feel big brother's hand; nor did we sense that anyone was afraid to say anything about anyone. Of course criticizing superiors within the party brings the risk of demotion or being passed over, and we encountered people in the CPSU experiencing such costs. Leaving the party often means losing all effective resources for communication, because there are so few resources independent of party control. But these costs, which attach to public speech in many societies in varying degrees, are a far cry from the fear of life that accompanied speaking out at the height of the totalitarian experience. No doubt there are political prisoners still, and some residual fear, and no doubt the positive aspects of the changes are reversible; but for the moment the scale of the problem is vastly diminished.

Some illustrations: We watched a production of dissident songs by Alexander Galich, which had been underground theater less than two years before. We visited a polling place on the day of the referendum on the union, observed (and photographed) the proceedings, detecting no sign of fraud or intimidation. In public and in private we listened to devastating assaults not only on the *ancien régime* of Stalinism, but on everything Marxism and Leninism stand for, together with the political leadership of Khrushchev, Brezhnev, and Gorbachev. We heard candid admissions from intellectuals and party bureaucrats that *perestroika* had failed utterly to create the basis for a market economy while rendering inoperable the old integrated system of centrally planned production. For this state of affairs many people inside and outside the party hold Gorbachev unforgivably responsible. We listened to dinner remarks in which civil war was discussed as a real likelihood, and those present contemplated the possibility that a year from now they might find themselves on opposite sides of the barricades.

We saw more internal democracy in the CPSU in one week than there has been, we suspect, throughout much of its history. Indeed, the level of debate was more impressive than one typically sees in American political parties. Party functionaries and the highest officials were subjected to volleys of criticism. At times speakers stonewalled, but they had to do so publicly and on the record, and often they were astonishingly candid in conceding the bankruptcy of communism at home and abroad, the mishandling of *perestroika* from start to finish, and

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the need to create vastly more democratic ways of doing things if any legitimacy was to be restored to the system. We heard a senior official in the CPSU openly acknowledge that the history of communism in the Soviet Union had amounted to seventy years of failure, that the party is today without international allies and domestic support, and that it is "entirely devoid of ideas for the twenty-first century." One member of the Politburo of the Communist party of the Russian republic said unequivocally that he does not care whether the Communist party survives; his only hope is that it can get the Soviet Union through the immediate crisis so that genuine economic and political restructuring can begin.

So much for the good news. To even the most casual observer it is evident that economic conditions are shambolic. Almost everyone also appears to agree that a market economy presents the only possible way out, but there is little agreement on how to create it; indeed, there appears to be little understanding of what a market system is. The Russian word for "market," we were told, is the same as that for "bazaar," and apart from the general notion of bartered exchange that this latter notion conjures up, there seems to be little serious discussion of how to create and sustain a market system. When people do engage with what it entails, problems of how to move forward seem overwhelming.

For one thing they lack the legal machinery to make many rudimentary market transactions possible. An illustration: one couple we met is trying to buy the cooperative apartment they occupy. They are purchasing a title that may or may not turn out to be valid if a court that is yet to be created, applying laws yet to be enacted by a parliament yet to be empowered, decides that whoever sold it to them had the right to do so. Yet if they don't buy the claim to the title someone else will and they may lose the apartment; indeed, it is likely that multiple claims to the same piece of property are being sold. We heard it said that people with resources are buying up huge numbers of such claims on the off-chance that some will turn out to be valid. (Actions of this kind are often attributed to a Soviet "Mafia," though, as in the United States, knowledgeable people hold widely diverging views about the size, cohesion, and importance of the supposed Mafiosi.) A return to the prerevolutionary system of property law is unthinkable; as a consequence, uncertainty about the foundations of the new system of private property could not be greater.

A second difficulty is that there is no real market for much of the Soviet industrial base. Obsolete by international standards and tied into the inefficient chain of command production, it could not be less attractive to international venture capitalists. Yet no individual, group, or organization in the Soviet Union has the resources to buy and refurbish the existing industrial infrastructure. The problem, as one Soviet economist put it, is that the Soviets are trying to create a market system after having created an industrial base that is irrelevant to a market system's operation. To convert the existing industrial structure to a market-based system of production requires fundamental alterations. Take the problem of monopolies. One of the damaging consequences of the obsession of central planners with giantism is an economy in which production is often highly concentrated in a few huge sources: almost 90 percent of all machine tools, for example, come from a single producer. Yet to scrap their antiquated equipment, organizations, and practices and start from scratch is a task far beyond the capacities of the Soviets.

The experience of a Western industrialist to whom we spoke is illustrative. He was discussing with workers in a Soviet industrial plant the possibilities of a joint venture. Their view was that in order for such a firm to succeed his corporation would have to buy the transport facilities needed to market their products wherever they would be sold as well as buy every factory supplying inputs into their production process—all the way to, and including, an iron mine in Siberia. Without an integrated monopoly of this kind, they insisted, some bureaucrat or firm—upstream or downstream—could hold their own productive venture hostage at any time and for any price.

The problems generated by monopolies over resources, often aggravated by genuine scarcity (though it is often impossible to tell which is which in practice), are evident everywhere. Examples: A Soviet academic expressed an interest in translating our books but would not offer us a contract until he had secured, through barter, the paper to print them on. A businessman told us that "the Mafia" enjoys a monopoly on office space in Moscow; evidently the only way to be assured of such space is to pay U.S. $1,000 per square meter into a numbered bank account in Cyprus. Rumors abound that the food shortages symptomized by the notoriously long lines outside empty stores have been created artificially by Mafioso groups that have monopoly power in the transportation sector in order to ferment political

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strife. Independent evidence to evaluate such claims is impossible to come by, but (leaving aside the question of illegal monopolies) it seems clear that monopoly control of strategic sectors and commodities is an enormous problem that will not go away with privatization.

Indeed, in a penetrating comment, Jack Matlock, the knowledgeable (and locally popular) American ambassador, observed to us that if the Soviets were to free up the price system before breaking up the monopolies, they would create the potential for long-term Latin American–style hyperinflation. Given the absence of an institutionalized legal system to facilitate market transactions, a work ethic, and a viable productive system, instant privatization of so concentrated an economy might produce an end result that exhibits more in common with present-day Colombia than with the mixed economies of Western Europe and North America.

The desire for instant privatization is widespread and intense; yet we found little detail and less agreement about how it might be achieved. Proposals now emanating from the IMF, the World Bank, and various Western economists for immediately freeing prices, currency convertibility, and the creation of private ownership assume that these reforms could be implemented from the center; yet this premise now seems doubtful. The authority of the party is so diminished that it probably has little capacity to influence the conduct of middle-level bureaucrats. They are likely to enhance their own power as the center relinquishes its power, make deals with local power brokers and Mafioso bosses, and extract a huge premium from anyone who needs their cooperation. Any credible proposal for economic reform must include an account of how the tens of thousands of middle-level bureaucrats will be induced to cooperate in its implementation.

If privatization is likely to be messy and unlikely to result in the medium term in what most Westerners would recognize as a market economy, those few who oppose privatization publicly are attacked as opponents of change. Ivan Ivanovich Antonovich, number two member of the Politburo of the Russian party, is a self-styled "conservative," who was referred to by some of his critics as a neo-Stalinist very much out of step with the course of events. In a long and mainly one-sided discussion, he said that transition to a market-based economy in anything less than fifteen years is a dangerous fantasy. In his judgment, the domestic resources to privatize the economy are nonexistent, and multinational corporations have agendas that are not consistent with what the Soviet Union needs: a refurbished and market-oriented industrial base. He expressed considerable skepticism that Soviet producers could derive much benefit from joint-venture cooperation, given their inexperience and lack of leverage.

Antonovich argued for a slower transition and a more defensive approach to the international market. In contrast to the "overtaking and outstripping" rhetoric of the Khrushchev era that still seems to dominate public discussion, he argued that catching up with the West is out of the question. He favored a policy of "destatization," turning plants over to workers as cooperatives, to be locally managed and owned. Responding to questions about the less-than-encouraging Yugoslav experience with such ventures, he said that the Yugoslavs' mistake had been to keep them in operation at all costs. Worker-owned cooperatives would have to keep their own accounts and remain solvent as the price system was freed up. If they could not, they must be allowed to go out of business. Thus his strategy was gradual privatization and marketization: some existing cooperatives would persist as cooperatives, some would be bought up, some would turn out to be viable in a freer price regime, some not.

Although Antonovich's vision of the future is not without intellectual attractiveness, we detected no constituency for it (or for any transition that would take ten to fifteen years). If the party adopts a program along these lines for the Russian republic, its action will be perceived as a reactionary move designed to reverse the course of *perestroika* (which, partly, it would be). Given the tide of political events in Russia, Antonovich's program could be implemented only with a degree of coercion that would undermine its chances for success.

Although the Communist party has a radically diminished capacity for authoritative action, we were disappointed by the weakness of democratic alternatives. Democrats in the CPSU are in the minority, outflanked by conservatives, and on the defensive. A hundred or more ostensibly democratic parties exist outside the CPSU but, apart from agreeing that the latter must go, they seem to have little in common and to have little in the way of concrete solutions or strategies. Much of their energy is spent criticizing one another. Sometimes it is hard to see what makes them "democratic" other than their opposition to communism.

After decades of fear and repression the new freedom seems to have spawned an almost cathartic need to denounce, to affirm the new political reality. In addition, the sheer scale of the problems is so daunting that it is difficult to prescribe constructive

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solutions. Finally, the democratic oppositions are handicapped by the successes of communism in destroying—or at least radically truncating—the institutions of civil society. The secondary associations that Tocqueville saw as essential to democracy are still weak. The failed Stalinist project of creating a "new Soviet man" devastated much of family life, religious institutions, and the other civil institutions that stand between the individual and the state. As a consequence there is a dearth of fertile soil in which a culture of democratic politics can take root

We often heard reference to the need for a "genuine leader," an "honest politician," a father figure who would solve problems. A desire for personal leadership is exemplified in the strong sentiment in favor of presidential systems in the republics and the USSR. Political debate seems to swirl more around the personalities of leaders than policies or programs.

The political discussion we witnessed often seemed to proceed from the premise that right answers do exist, which trustworthy leaders would provide. An otherwise highly sophisticated economist expressed incredulity that in the United States judges could rule on the constitutionality of economic legislation, "because they do not have economics degrees, and might make mistakes."

To the sources of disarray among the democratic forces mut be added the explosive issue of nationalities. On the question of unity, people we encountered with genuinely democratic sentiments were deeply torn. They do not want the Soviet Union held together by force; yet they believe that some of the most powerful advocates of breakup are also the most antidemocratic—cynical manipulators of nationalist sentiment as dangerous to democratic prospects as old-line Stalinists.

It would be hard to imagine a more daunting situation than that confronting leaders in the Soviet Union who recognize that the old order failed badly and something new has to be constructed. These include not only the democratic oppositions but even conservatives like Antonovich and Gorbachev himself.

What makes the situation so formidable is that they face not one or two large problems but at least five, all gigantic and interconnected. First, the collapse of an empire hitherto held together by force means that the leaders and people of the Soviet Union are engaged in a task that in other countries has required generations, even centuries, to accomplish: determining the external and internal boundaries of a country and the relationships between the central government and its component parts.

Second, they need to construct a new political system, presumably considerably more liberal and democratic than any previous one in the Soviet Union or Imperial Russia. They must do so with almost no experience in democratic institutions and liberties and not a great deal in the way of a democratic culture.

Third, in a change that has no relevant historical precedents, they have to construct a new economic system by making a transition from the failed ideas and practices of a command economy to an economy based on markets, competition, and privatization in forms not yet agreed on. What makes the transition even more difficult is that unlike the countries of Eastern Europe, in Russia and the Soviet Union the institutions, practices, and culture of capitalism were barely established before they were destroyed by communism, practically without a trace.

Fourth, the Soviets must build institutions of civil society that were also destroyed or retarded by generations of totalitarian rule: for example, a complex legal system of private property (for what can "privatization" mean without such a legal system?); the forms, structures, and practices of business enterprise; a vigorous associational life; more autonomous local units of government, and so on.

Finally, to these problems, which are formidable if taken singly and overwhelming in combination, is added the acute crisis of the economy. An estimate that we heard frequently during our trip has been confirmed since our return by no less an authority than Gorbachev himself: namely, that in the first quarter of this year incomes and production fell by something like 12 percent (on top of a probable decline of 3 to 4 percent or more in the latter part of 1990).

Other countries have confronted these problems, usually one at a time and often over a lengthy period. No country in history has ever before confronted all of these problems at once. Because the situation is historically unique, guessing about its future is necessarily just that—guessing. A safe guess is that whoever the leaders in this Time of Troubles may turn out to be, the transition to a market economy and a relatively stable democratic regime will not take place in five hundred days.

Yet forces of change are in motion that do not look to be fully reversible. For the changes to be accomplished, however, will probably take—this is our guess—fifteen to twenty years. To hope for, much less to count on, less would be to underestimate the magnitude of the problems the USSR faces. □

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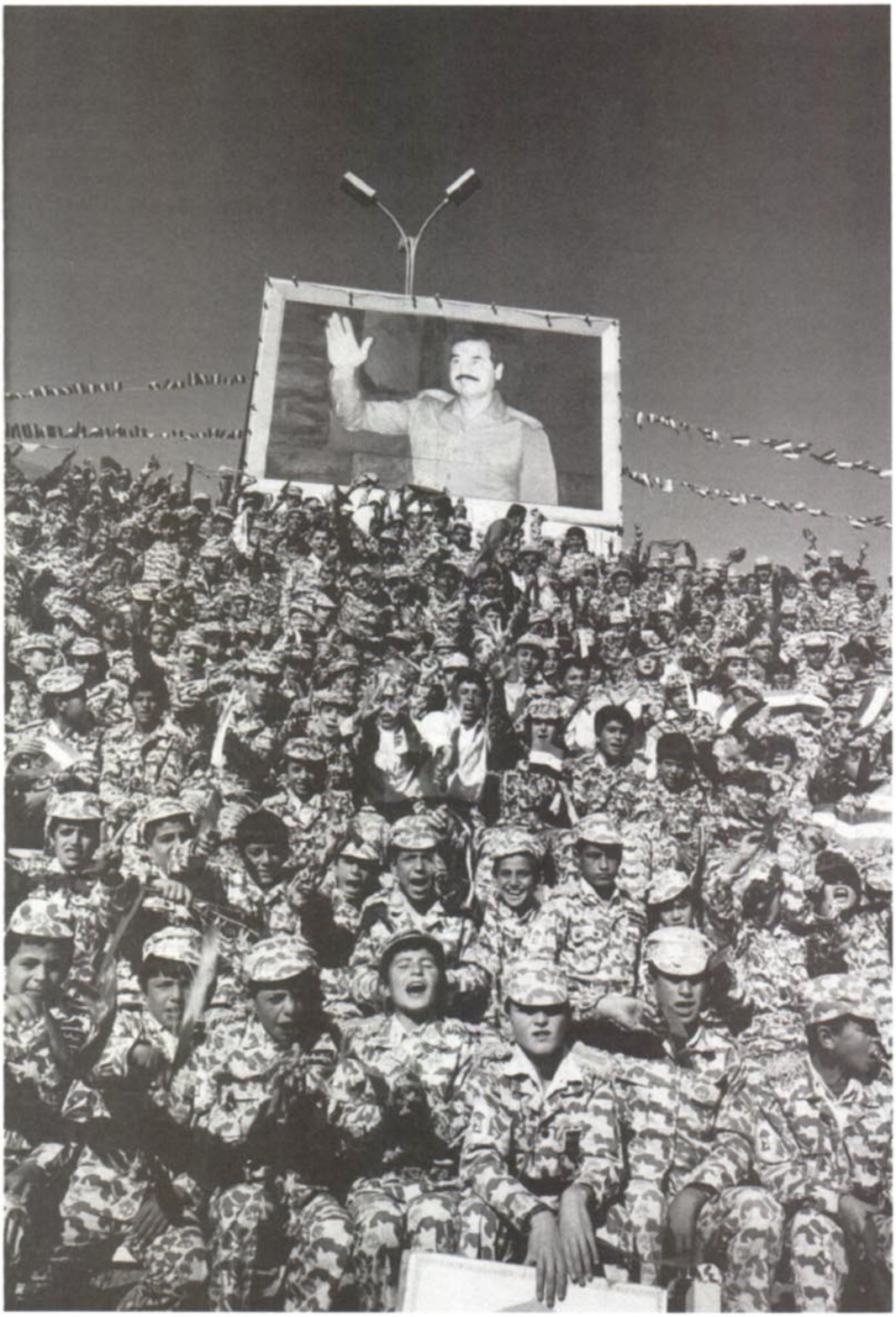

Popular Army parade, Mosul, Iraq, November 14, 1990. Henrik Saxgren/2maj/IMPACT VISUAL

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Fredric P. Smoler

THE ARMING OF SADDAM HUSSEIN

Cynical Politics and Profiteering

Adel Darwish is a London-based investigative journalist—a correspondent for the *Independent* and a regular contributor to the *Economist*—who has specialized in ferreting out European arms exports to Saddam Hussein. With "Gregory Alexander," a pseudonymous British defense journalist, former army officer, and arms trader, he has just published *Unholy Babylon: The Secret History of Saddam's War* (London, Victor Gollancz, 1991), the most detailed part of which is a compilation of their research on the Iraqi arms buildup. It makes for interesting reading.

Darwish and Alexander give estimates of Iraq's military expenditures over the last decade ranging between $80 and $105 billion on imported armaments (almost all the company names and figures below are from Darwish and Alexander). At least $15 billion worth have been accumulated since the end of the first Gulf War; there is no evidence that Saddam's military budgets are the product of grudging necessity. The Soviet Union was responsible for about ten billion dollars worth of these imports, chiefly tanks (T-62s and T-72s), fixed-wing aircraft (MiG and Sukhoi fighter-bombers, Tupolev bombers, and Ilyushin transports) and helicopters (Mi-24 Hind and Mi-Hip), artillery and rocket launchers, and vast quantities of small arms and ammunition. Iraq did not have the habit of paying on the nail, and by the end of the decade the Soviets were perhaps more businesslike than some of their Western competitors; in 1987 they seem to have been disinclined to provide MiG-27s on yet further credit.

The Chinese provided more than 1,300 tanks; 650 armored personnel carriers; 720 130mm artillery pieces; F-6, F-7, and F-8 fighters; B-6 bombers; and Hai-Ying-2 Silkworm missile launchers. The Chinese market weapons through Norinco and its various subsidiaries, but this, too, is a fairly businesslike operation, and the Chinese are not known for generous credits. Our European allies are not so hardhearted.

France has been arming Iraq since 1967, and by 1990 was Saddam's second-largest supplier. The list is impressive: Mystère and Mirage fighters; Alouette, Gazelle, Puma, and Super Frelon helicopters; HOT and Milan antitank missiles; Exocet AM-39 and MM-40 antiship missiles; AMX-10P combat vehicles and AMX-30 tanks; and a vast quantity of other equipment. The list of companies involved includes virtually the whole of the French arms industry: Dassault, Aerospatiale, Euromissle, GIAT, Panhard, Thompson-Brandt, Matra, Thomson CSF, Luchaire, COFRAS, Raclet, Matra Manurhin Défense, and Lacroix.

The French government seems to have encouraged French banks to spur these exports with extraordinarily generous loans and credit arrangements, a pattern visible in other Western states; but the French government was perhaps more indulgent than most of Iraq's suppliers when it persistently ignored murder and kidnapping by Iraq's Mukhabarat on French soil, lest any diplomatic unpleasantness disrupt trade. Indeed, the French are said to have gone so far as to compensate for one of Iraq's military deficiencies—its inability or unwillingness to use weapons efficiently against any armed opposition. Between 1983 and 1985 the French government lent Iraq not only five Super-Etendarde aircraft but thirty

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military personnel, including seven pilots, who are alleged to have not only maintained the aircraft but flown combat missions. These were the aircraft that allowed Iraq to wage the tanker war, belatedly provoked Iranian reprisals, and eventually brought the U.S. Navy into the Gulf War.

The generosity of the French arms industry and government—the two are not entirely separable—may be seen more closely by examining the records of Dassault's transactions with Iraq. From 1976 through 1989 Dassault had sold Iraq thirty-two Mirage F1EQ, thirteen F1BQ, twenty-eight F1EQ-4, twenty F1EQ-5, and eighteen F1EQ-6 aircraft. At the end of this period Iraq owed France between FFr25 and FFr44 billion (the latter figure being the French estimate, the former the Iraqi), half of which, owed for arms, was guaranteed by the Compagnie Française d'Assurance pour le Commerce Exterieur, a state agency.

Iraq was refusing to pay up; for 1988–89 alone, it owed FFr9 billion and was willing to fork over just FFr1 billion. This made difficulties for Dassault, desperate to sell Iraq another FFr22 billion worth of Mirage 2000s and Alpha Jets. The French government managed to smooth over these difficulties. In September of that year Iraq's debt was generously renegotiated; in February 1990 Defense Minister Chevenement (one of the founders of the Franco-Iraqi Friendship Association) agreed in principle to guarantee Dassault's sale of the Mirage 2000s.

Many of Iraq's allegedly homegrown weapons were in fact French creations. It was the French who helped develop—and French workers who maintained and often operated—the Adnan-1, an AWACS produced by marrying a Thomson-CSF "Tiger" radar to an Ilyushin-76. When the Egyptian-modified Scud-Bs suffered such a degradation in accuracy as to miss Teheran by ten miles, the fix is said to have been French expertise in the form of inertial guidance systems developed by Sagem.

The West German contributions to Saddam Hussein's arsenal are also noteworthy. Between 1982 and 1990, say Darwish and Alexander, some sixty-eight West German companies contributed to Iraq's armaments industry. A number of them built Saddam Hussein the heart of an independent arms industry: Ferrostahl of Essen supplied a forging plant, a consortium of German firms under Klockner INA of Duisberg built a foundry, and SMS Hasenclever provided a hydraulic open die forging press. Daimler-Benz made the engines for Brazilian-manufactured light armor, Magirus-Deutz supplied cross-country vehicles, and Messerschmitt-Bolkow-Blohm is said to have supplied Saddam with the plans for an FAE (a fuel-air explosive, a vapor cloud dispersed as an aerosol and then detonated; the technique produces a remarkable over-pressure over a confined area) by way of Egypt (alleged by *Der Spiegel*) and sold Iraq twenty-three BO-105 helicopters in a package deal assembled by the Spanish firm CASA; Messerschmitt-Bolkow-Blohm also owns half of Euromissile, which sold Saddam his HOT antitank missiles.

With the aid of these facilities, and another installation built by many of the same firms at Salman Pak, Saddam Hussein had by the summer of 1990 the capacity to produce annually one thousand artillery tubes of 105mm to 203mm. German firms also built the gas and bomb-proof command and control facilities around Baghdad and, by way of a route that stretched from Paraguay through South Africa, were the original source of Saddam's 155mm artillery shells.

German contributions famously include the nerve gas plants at Samarra, Akashat, and Al Fallujah, which have been dubbed "Auschwitz in the sands," although with imperfect accuracy; the alleged Iraqi testing of nerve gases on political prisoners and captured Kurdish insurgents is said to have occurred at the Abu Gharib prison near Baghdad. German firms contributing to these plants included Walter Thosti Boswau and Heberger-Bau, Messerschmitt-Bolkow-Blohm, Karl Kolb, Sigma Chemie, Anton Irle, Quast, Preussag, and Rhema. German contributors to Saddam's biological warfare programs included WET of

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Hamburg and Oxoid GmbH, since renamed Unipath GmbH.

Iraq's bounty extended over much of Europe. Spanish firms sold Saddam Land Rovers mounted with 106mm recoilless rifles, mortar rounds, and iron bombs. Portugal sold mortar rounds and explosives, Italy's Fincantieri a small navy: two frigates, six corvettes, a supply ship, and a floating dock, with a total value of almost $3 billion (but the Iraqi habit of refusing to pay for weapons ordered in this case prevented delivery). Italy's Agusta also provided helicopters, by Darwish and Alexander's accounting two A-109, six S61A-4, thirty Model 500C, fifty-four Model 500D, five ASW variants of the AB-212, twelve AB-412 Griffons and six AB-412 aircraft. Italian firms also provided ten Aspide/Albatross SAM launchers with 224 Aspide missiles, 10 Otomat-21 launchers with 60 Otomat-2 antiship missiles, Valsella antitank and antipersonnel mines, light armored vehicles, reconnaissance drones, and various forms of technical assistance and pilot training. Negotiations were under way at the time of the invasion of Kuwait for the supply of yet more arms.

The East Europeans contributed their mite: Poland sold 200 T-55s, East Germany sold 50 more, Romania 150, Czechoslovakia 400 plus 1,000 BMP-1 mechanized infantry fighting vehicles and 200 OT-64 apcs; Hungary sold 200 Fug-70 scout cars, and Yugoslavia sold small arms and 122mm artillery rounds. Particularly important was what might be termed technical assistance: the East German Stasi and the Romanian Securitate helped set up the various Iraqi secret police forces. Political pariah South Africa provided great quantities of artillery ammunition, howitzers, and acoustic and magnetic mines.

The neutrals also did their bit. Switzerland sold Iraq 50 Roland armored personnel carriers and 120 trainer aircraft, 48 AS-202 Bravos, 52 PC-7s, and 20 PC-9s. According to Kurdish guerrillas, the Bravos were used against Kurdish mountain villages to deliver chemical weapons. Austrians designed missiles and chemical weapons R&D facilities and sold artillery, ammunition, and, with British and Polish firms, an entire munitions plant.

Among lesser NATO suppliers, Norwegians provided explosives, and the Dutch sold propellant, artillery shells, night-vision equipment and airborne reconnaissance technology. Britain is said to have sold Iraq ten thousand NBC suits (nuclear-biological-chemical warfare protective equipment; as Saddam possessed the only such weapons in the region, this equipment simply allowed his troops to deliver their chemical munitions onto Kurds and Iranians without undue danger to themselves), mortar-location radar, military vehicles, and potassium cyanide. Britain also trained Iraqi pilots.

There were extra-European suppliers other than China, notably Egypt, which sold Iraq some $11 billion worth of military goods over the course of the first Gulf War. Egypt also provided vital technical support, and more: Egyptian commandos are said to have made the critical first attacks in the recapture of Fao. Brazil provided a remarkable number of combat vehicles (500 EE-11 Urutu armored personnel carriers, 300 Jararaca scout cars, 300 Osorios tanks, and 1,026 EE-9 Cascavel armored cars) and a quantity of Avibras Astros II multiple rocket launchers of various calibers and helped upgrade the Scud-Bs. Argentina developed the Condor-2 missile with Iraq and Egypt and sold Iraq mortars, rifles, ammunition, and tanks; Chile delivered a munitions plant.

This massive foreign assistance was obviously necessary if Saddam was to realize his ambitions, the Iraqi economy and industrial base being insufficient to sustain an autarkic policy of aggression. Iraq's first export is oil; its second is dates. Saddam Hussein's ability to molest his neighbors, and even effectively to torment the sturdier elements among his own population, is not homegrown. Until Saddam bought up the more capital-intensive means of repression, he was unable even effectively to terrorize his own Kurds.

Although Saddam had quantities of petrodollars to recycle, the armaments necessary for his remarkable ambitions grossly exceeded his means. As it happened, this was no great obstacle; *by Saddam's own reckoning, at least $40 billion worth of his arsenal was bought on*

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credit. Iraqi credit was good, but nowhere near this good, and the suppliers will almost certainly never see this money. Why did they extend credit to such an extraordinarily lavish degree?

Some of it was the recycling of petrodollars following the spike in oil prices of 1973. Some of it was an inability to realize that the petrodollars to service the loans would ever run short. Some of it was simply blind faith admixed with suppressed despair, an illustration of the old adage that "when you owe the bank ten thousand dollars you're in trouble, but when you owe the bank ten million dollars, the bank's in trouble." But much of this remarkable extension of credit had its roots in the peculiar nature of the arms trade.

It is worth examining the economics of arms exports. For the old East bloc states, arms were one of the rare competitive goods their economies could produce, and the armaments industry was one of the very few industrial sectors capable of earning the hard currency needed to pay for imports from outside the bloc. For a long period after the Second World War Soviet military technology was quite competitive with the West's, and occasional Western prudery—the period immediately after Suez, for example—could even make the East bloc monopoly suppliers. Both of these processes are still at work in China today; the economic reforms seem to have forced the military to earn some of the hard currency necessary for its modernization, and this may be one of the factors behind some of the peculiarly irresponsible Chinese exports—alleged nuclear technology to Pakistan, Silkworm antiship missiles to Iran during the Tanker War, and ballistic missiles to the Saudis.

Western governments are driven more by the goad of economies of scale. The R&D costs of modern weapons can be staggering, and a long production run lowering unit costs is sometimes the only way for a Western army to afford the desired quantity of the weapons it has had its domestic suppliers develop, at least at a price its political masters will permit. If the production run can be suitably lengthened only by producing a quantity exceeding domestic requirements, the armed services become very diligent lobbyists for exports to the Third World. Since development costs tend to be greatest for high-technology weapons, there is a tendency to export what are at least intended to be the most capable (and hence the most terribly destabilizing) weapons. This process has produced some striking absurdities: weapons too sophisticated and thus too expensive for the First World armed forces that originally commissioned them. Such was the case, for a period, with American Spruance-class destroyers and some British main battle tanks.

This process played hell with local balances of power, increased the military burdens of the United States, militarized the entire region, and eventually produced Saddam Hussein in his most alarming incarnation: as the paramount regional military power, possessed of a plenitude of the means for expansionist war. Saddam's viciousness was less ghastly in its consequences when physical incapacity moderated his reach, which at the beginning of his reign did not extend even over the whole of Iraq. How did this precariously ensconced despot of a fragile and indeed weak state come to be able forcibly to export Baathism? It was we who helped achieve this remarkable end: it was a triumph of "realism."

A Destabilizing Arms Race

The destabilization of the regional balance of power in the Middle East was produced by a series of arms-export drives; once one regional power acquired modern weapons in any quantity it was in a position to dictate terms to its quondam equals until they had caught up. With the Soviets and the United States as reasonably prudent arms suppliers, the regional balance of power was admirably polyvalent; local powers were generally unable to attempt the conquest of weak neighbors without producing coalitions to defend the status quo. A balance of power could and frequently did function: when Syrian armor menaced Lebanon, the Israeli air force kept the balance; when Iraq invaded a weakened Iran, Syria and Israel kept the balance; foreign meddling in Oman's Dhofar province produced Iranian intervention, and so on.

The first radical destabilization of this

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balance occurred when the Shah was armed to the teeth by Kissinger and Nixon. This was nominally for the purpose of allowing Iran to stare down the Soviet Union. Because no amount of conventional arms could conceivably achieve this end in the military conditions of the mid-seventies, the Shah found something else to do with his new arsenal: he unilaterally renounced the treaty fixing his frontier with Iraq.

This fueled Iraqi arms purchases and drove the communist-exterminating Saddam into the arms of the Soviet Union. Squabbling with the newly aggressive Shah in the early seventies, the Baathists invited the Iraqi communists into a contentless Progressive National Front in a cheap attempt to ingratiate themselves with the Soviets, the only counterbalance to Western-backed Iran. The gesture was meaningless; the Baathists would shortly go back to their long-standing practice of exterminating communists, and Iraq extracted a good price: Soviet abandonment of the Kurds. Further Iranian aggression, backed by the Nixon administration, accelerated this process; the Iraqi-Soviet friendship treaty was signed after British and American acquiescence in the Shah's seizure of three strategic islands—Lesser and Greater Tunb and Abu Musa—from Ras al-Khaima and Sharjah, which are now part of the United Arab Emirates.

These developments encouraged the Nixonian habit of inflating the Shah to serve as an "American surrogate" in the Gulf, and perversely wrought the very opposite of its intended ends. To counterbalance the new Soviet relationship with Iraq, the Shah was armed to the teeth—in an unprecedented arms-export policy, he was allowed to buy any nonnuclear American armaments he desired. A decision to aid the Iraqi Kurdish insurgency in cooperation with Iran made Soviet assistance genuinely vital to Iraq; when the Shah was able to extort Iraqi recognition of an adjusted frontier in return for a free hand to repress the Kurds (the Algiers agreement of 1975), we abandoned our temporary protegés to Saddam Hussein. This was an elegant demonstration of Kissingerian diplomacy in action: first the achievement of the opposite of our intentions, then, with the betrayal of the Kurds, a degree of cynicism impressive even by regional standards.

The policy of festooning the Shah with weapons had a number of unanticipated consequences. The first effect, the Iraqi arms drive, made the Saudis even more than usually insecure, which boosted their arms imports by 2,300 percent. Because nothing could make the Saudi ground forces a match for the armies deployed by their more populous neighbors, these expenditures necessarily focused on the Saudi air force. Airpower being by its nature extremely flexible and mobile, the new Saudi air force bid fair to destroy the Israeli qualitative edge, which had previously kept the regional balance of power.

The erosion of this advantage greatly exacerbated Israeli insecurities and spurred massive arms imports from the United States. Israel had no petrodollars to recycle and could not pay for these imports, which rather undid the budgetary logic of the original arms exports. In a particularly vicious circle, the arms exports to Iran eventually meant that the Israelis rapidly depleted American stocks by getting first call on the weapons that had originally been sold to Iran in part to defray their costs to the point that our armed forces could acquire them in the quantities desired.

Our fantasy of policing the region through an Iranian surrogate, however, did not survive the Iranian revolution, although the policies that fantasy engendered did make such a revolution more likely, and helped ensure the particularly ghastly form the Iranian revolution took. Iran seemed to have disappeared as a power factor in the Gulf, although the militarized Iraq that we had unwittingly conjured up as a byproduct remained, suddenly alarmingly potent.

Strange Bedfellows

Saddam's reincarnation as a friend of the West occurred in the wake of his classic blunder in attacking a revolution, thus restoring Iranian military power in a much more menacing form: as revolutionary power. The Iranians began to appear particularly threatening to our clients in the Gulf, and the Reaganites discovered Saddam's virtues as a counterweight. The Iranian revolution had produced a vacancy in

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the role of regional American surrogate, Saddam became Our Man in the Middle East (the role Assad seems to be auditioning for now), and the administration deemed it acceptable for our allies to arm him to the extent necessary in order to stand off an Iran three times his size, and, as the victim of unprovoked aggression, hopping mad.

The rapidity of the change in cast required alternate certification and decertification (and shouting down the congressional clamor for the recertification) of the Iraqi regime as a notorious sponsor of terrorism. No startling changes in Iraqi behavior were at any time required (a fact Assad seems to have taken particular notice of). We in effect condoned Saddam's wanton aggression against Iran (an intriguing parallel has recently occurred with Assad in Lebanon) thereby exacerbating the paranoia and xenophobia of the Iranian regime, while our allies armed him against the ayatollahs.

It is a fact of political life in the democracies that our political classes do not like to sell arms to odious criminals for the announced purpose of lowering unit costs and making domestic procurement less onerous; something good must be said about the recipient, preferably on the order of strategic necessity. So, other than an arms market, what did anyone ever affect to see in Saddam Hussein?

The Western powers' enthusiasm took various forms. There was the French taste for expediting the allegedly inevitable (thus helping to make it so); in the wake of the Iranian revolution French foreign-policy makers decided that Iraq was going to be the great regional power and decided to butter up Saddam. This was not perfectly unprincipled; amoral (if inept) geopolitical calculation coexisted with a perverse identification of Saddam's fascistic Iraq as a revolutionary nationalist regime, somehow resonant of the Jacobin state during the Great Revolution.

For grisly comic value, the French crush on Saddam's Iraq as a "revolutionary" regime pales before the assertions by some British cabinet ministers that they were able to discern a taint of racialism—something that had eluded them when surveying their own Tory party's immigration policy—in any noisy worrying about Iraqi nuclear capabilities. The Chinese have also taken this line to subtler comic effect, the joke depending on the auditor's realizing that Chinese racism can dwarf the Anglo-Saxon variety.

The fact has been much occluded by the Soviet Union's status as Saddam's premier arms supplier, but the Baath was (and is) strongly anticommunist, and for many decades the Iraqi Communist party was the strongest in the Middle East. Under Qassem's regime the communists were indeed the most virulent foes of the Baath; communists attacked Baathists with enthusiasm, and Baathist attacks on the CP were particularly brutal. The rumored cooperation of the CIA with the Baathists (in making possible house-to-house searches for communists) after the Baathist coups is part of Iraqi political folklore. The parallels to extra-regional cold-war politicking are obvious; within the region it is generally forgotten that Qaddafi, too, was once something of an American darling for precisely the same reasons; he also was seen as a barrier to Moscow. That was "realism."

Although the United States left the visible support to the Europeans, the Egyptians, and others, we ourselves tendered Saddam invaluable military assistance, notably in the form of satellite and electronic intelligence. The potency of this assistance can be gauged by remembering that when we briefly extended such aid to the other side during the Iranamok affair, the Revolutionary Guards are said to have captured the Fao peninsula on the strength of it.

When Saddam began to use nerve gas as a weapon of war, and subsequently as an instrument of domestic policy, the U.S. government managed to stave off any congressional reprisals. The executive branch was successfully fighting off congressional attempts to restrict our agricultural credits to Saddam up to the moment of the invasion of Kuwait. Several months later it was successfully fighting off congressional attempts to punish the German companies that had helped Saddam develop his chemical weapons. The men who ordered the very professional Ambassador Glaspie to conciliate the tyrant while he warned us against interfering in the invasion of Kuwait

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have neither been rebuked nor their policies disavowed.

Their policies, after all, had "worked." Iranian military power was not merely contained, it was exhausted to the point of endangering the regime, which sought peace rather than risk counterrevolution by an exasperated and immiserated population. The only hitch was the looming presence of a fascistic Iraq, armed to the teeth, possessed of an expansionist ideology, encouraged (by us) to think it could get away with irredentist wars and mass murder, and apparently equipped with strategic weapons and modern armies sufficient to allow it to commit aggression with impunity.

By a great feat of arms and a considerable feat of diplomacy, both of them happy surprises, Iraq has been stripped of the (borrowed) power to conquer its neighbors, at least for the moment. After an appalling series of blunders, we seem to have gotten off pretty cheap, although Iraqi conscripts, along with the mounting civilian victims of cholera and typhoid, have paid tragically for our mistakes.

The executive branch, however, seems to be infinitely persistent in its enthusiasm for what it enjoys calling, quite hilariously, "realism." As this is being written the administration is audibly disturbed at the prospect of the destruction of Sunni Arab military dictatorship in Iraq, and Assad, the only regional actor whose brutality rivals Saddam's, bids fair to become Saddam's surrogate just as Saddam replaced the Shah. Assad is also a Baathist, with ideological roots in 1930s European fascism, a minority confessional/familial regime with no margin for democratization, and little inclination for the relaxation of state terror. Bribed to date with a couple of billions of dollars from the Gulf for standing by the U.N resolutions (apparently at our instructions), Assad has spent this first installment of *baksheesh* on arms imports. One recalls the close of *The Resistible Rise of Arturo Ui*:

> This is the thing that almost had us mastered
> do not rejoice in his defeat you men
> for though the world stood up and stopped the bastard
> the bitch that bore him is in heat again. □

To Our Contributors:

A few suggestions:

(1) Be sure to keep a copy of your ms—the mails aren't always reliable. And please remember that we can't return articles unless they're accompanied by a stamped, self-addressed envelope.

(2) Please don't write to ask whether we're interested in such and such an article—it makes for useless correspondence. Look at our last few issues to see if your idea fits in. Or take a chance and send us your article. We will not consider manuscripts submitted simultaneously to several publications.

(3) Type your ms *double-spaced*, with *wide* margins. Check all your figures, dates, names, etc.—they're the author's responsibility. No dot matrix submissions, *please*.

(4) Notes and footnotes should also be typed double-spaced, on a *separate* sheet. As we're not an academic journal, we prefer that they, wherever possible, be dropped altogether or worked into the text.

(5) We're usually quick in giving editorial decisions. If there's a delay, it's because a few editors are reading your article.

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THE EDITORS □

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Andrei S. Markovits

GERMANY: POWER AND THE LEFT

A New Political Configuration

The momentous events of 1989 and the unification of Germany recast the long-standing debate about Germany's role in a changing Europe. Virtually all the English-language newsweeklies ran cover stories on the new "German question," and academic experts weighed in on the op-ed pages. At the risk of simplification, one can divide these commentaries into two categories: optimists, who viewed unification as a boon to Germany, Europe, and global peace, and pessimists, who were concerned that a strong Germany might repeat past mistakes. The optimists are the majority; but, for understandable reasons, both voices are preoccupied by the legacy of Auschwitz. The optimists have made it their mission to convince their audiences (perhaps even themselves?) that the ingredients that produced Auschwitz have been extirpated by "Modell Deutschland"—West Germany's exemplary democracy. Pessimists on the left worry that the Federal Republic's democratic foundations are not really democratic. Liberals fret that its institutions have never been truly tested in a crisis comparable to the depression of the early 1930s and are thus "fair weather" institutions at best. Conservatives, in turn, judge these structures irrelevant in a world ruled by renewed nationalism. Always cynical about the tenuous nature of the Federal Republic's "constitutional patriotism" (Jürgen Habermas's term), conservatives hope that nationalism will make a credible return as a new political force in a strong Germany, thereby challenging the anemic arrangements of the *Bundesrepublik*.

There is truth in both optimistic and pessimistic claims. Among the Federal Republic's greatest achievements is its eradication of most factors that might engender another Auschwitz. However, the optimists—and the vast majority of Germans—tend to see the future of Germany in Europe through rose-colored glasses, convinced that history—the Auschwitz trauma—now renders them essentially benevolent. Such assertions completely disregard the hegemonic power—resting on economics—already exercised by Germany in Europe. Its future extension is certain. Optimistic liberals and pessimistic conservatives, though from opposite vantage points, all see democratic institutions as mitigating power. But successful democracies, such as Germany's, are powerful because of the consensual nature of their politics and the high productive and distributive efficiency of their markets. Indeed, the adage that Deutsche marks will go much farther than Panzers seems compelling. It is encouraging that a substantial majority of Germans favor a low profile for their country in world affairs, and are, in the *Financial Times*'s words, "peaceable, fearful—and Green." Yet, the power already exercised by a united Germany in Europe and beyond cannot be underestimated.

In virtually every aspect of economic life, the Federal Republic has a formidable lead over its nearest Western European competitors. The existence of the European Community (EC) seems to have benefited Germany more than any other country. West Germany's market share in terms of intra-EC exports has consistently grown since the 1970s, rising to nearly 28 percent by 1989. France, the runner-up, has 15.6 percent, and the United Kingdom 11.4 percent. Germany's share is nearly three times

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that of Italy. Using export prowess as an indicator, there can be little doubt that the Federal Republic in Europe and Japan in expanding parts of Asia have reached hegemonic status. Throughout the 1980s only West Germany had a positive balance of trade among Europe's "big four." Its $208.5 billion surplus for the decade contrasts sharply with the huge deficits incurred by Italy, France, and the United Kingdom. Data corroborate the view that the European Community—at least thus far—has constituted a zero-sum game between Germany and its major rivals. Germany wins what the other three lose.

As a consequence of its singularly advantageous position within the EC, Bonn has been the largest contributor to the community's budget. This makes Germany the major political player inside the EC. The Germans dominate the corridors of the EC headquarters in Brussels. German political prowess was attained quietly and "by doing"—hard committee work—rather than through constant posturing, which has been the French style, or the spoil-sport negativism perfected by the British under Thatcher. Moves now under way to make German into the third official working language of the community (along with English and French) symbolize the political reality.

German influence in Eastern Europe is even more pronounced than in the West. In 1989 West Germany led all Western countries in export sales to Eastern Europe, and the figures are dramatic: $21.2 billion for West Germany, followed by Italy with $6.7 billion and $5.8 billion for the United States. In every category listed by the OECD (Organization for Economic Cooperation and Development), West Germany was the leading Western trading partner with Hungary, Poland, Czechoslovakia, Bulgaria, Romania, Yugoslavia, and the Soviet Union. And in each case Germany's trade was, at a minimum, double that of its nearest Western competitor. German firms have also taken the lead in forming joint ventures in Eastern Europe and the Soviet Union.

Culture and language are among the most decisive transmitters of economic and political influence. In East-Central Europe, German provided a common cultural bond and a *lingua franca* within the political and cultural elites at least until 1945. Despite its repression under communism, German has been reborn in postcommunist *Mitteleuropa*. This region wants to become European again—that is, Western, but in a commercial rather than cultural sense. East-Central Europeans are now learning German in order to converse with Siemens and Volkswagen, not to read Goethe and Schiller.

Precisely at this moment of national ascendance, the German left finds itself in one of its most serious crises since 1945. Although this malaise is in good part due to Germany's new power, it also stems from internecine battles that contributed to a certain loss of purpose and vision. The unique burden of Germany's past further exacerbates the left's malaise by complicating its relationship to such contemporary issues as nationalism.

December 2, 1990, witnessed the nadir of the German left. Its most important institutional representative, the Social Democratic party (SPD), lost the third national election in a row (1983, 1987, 1990). Its support in the western part of the country declined perilously close to 30 percent. True, the SPD won 23.6 percent in what was East Germany, a 3 percent gain over its March 1990 showing there (in the only democratic election ever held in the GDR—the German "Democratic" Republic). But East Germany was the SPD's cradle, and in such pre-1933 strongholds as Saxony and Thuringia voters gave the party only 15.1 percent and 17.5 percent, respectively. For the Greens, the left's other parliamentary representatives, December 2 ignominiously ended a decade of gains. Founded in 1980 as an "ecological, social, grass-roots democratic, nonviolent" movement, the Greens were arguably the New Left's most important political legacy in the advanced capitalist world. On December 2 they collapsed at the polls.

These setbacks reveal a deep identity crisis. The left is haunted by its memory of the 1950s, when the Christian Democrats were dominant and the SPD was politically "ghettoized" and excluded from power. In 1959 it responded with a dramatic change in direction; the SPD's Bad Godesberg Congress shed Marxism in

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favor of Keynesianism. Today, a new Bad Godesberg may be required, although perhaps not quite as dramatic.

Identity crises result, in part, from success. Social democracy's difficulties in Germany, indeed across Europe, come from its acceptance by much of the continent's political class. The fact that Helmut Kohl never attempted to pursue anything vaguely resembling Thatcherism or Reaganism has much to do with the successful integration of social democratic values into the mainstream of West German politics.

The SPD was caught between an Old Left insistence on growth and productivism and a New Left assertion of grass-roots democracy and anti-authoritarianism. In power in the 1970s, social democracy successfully expanded the state sector, introduced educational reforms, and spawned a general liberalization of West German public life. Ironically, this atmosphere helped to create the Greens just as much as did the SPD's failure to respond to the country's energy problems and demands for "new" politics.

The Greens also have a crisis of identity as a result of success. Polls convincingly demonstrate that in the course of the 1980s a majority of West Germans became "green" in attitude, though not "Green" at the ballot box. All three establishment parties (Christian, Free, and Social Democrats) developed strong pro-ecology positions, became advocates of women's rights, and were defenders of disarmament and detente during the last few years. One of the Federal Republic's leading commentators aptly characterized the Greens as "soluble fertilizers on the fields of the classical parties."

One component of the left's identity crisis may be called the postnational consciousness of virtually all the Greens and much of the SPD. One by-product of the Federal Republic's westernization and bourgeoisification was the emergence of a broad milieu of intellectuals devoid of nationalist sentiments—people who are first and foremost "federal republican." Being a German nationalist—in any shape or form—simply became unacceptable for West German leftists, especially after the belated discovery of the Holocaust in the 1960s and the immense impact of the student revolt of the late 1960s, known in Germany as "1968." Indeed, it was at this time—and not immediately after World War II—that much of the West German left developed the notion that the country's permanent division was a just penalty for Auschwitz.

Oscar Lafontaine, the SPD candidate for chancellor last year, is a product of this milieu. Hence, he was simply no match for Helmut Kohl and Hans-Dietrich Genscher in an election that was dominated by the national question (even though it was surprisingly muted in nationalist fervor). It was obvious to all that the Social Democrats and the Greens were uncomfortable addressing the national dimension of German unity. Instead, they harped on its costs, which did not endear them to East Germans and provided insufficient appeal in the West. In short, the left's history rendered it unprepared to address unification on an equal footing with the right. To most West German leftists, the GDR—while certainly no model—had become at least acceptable, if not commendable.

It should come as no surprise that many West German leftists, including a substantial segment of the SPD's left wing, remain profoundly unsettled about the disappearance of the GDR. Their discomfort mixes anger, embarrassment, and nostalgia and seems explainable only through a larger, unhappy context. In the eyes of some in the West German left, the GDR was unequivocally the morally superior of the two German states: it was the first "socialist" experiment on German soil and embodied the only genuine break with the Nazi past. This lent a particular legitimacy to the GDR, a legitimacy bestowed by the left on few other countries, save in the Third World. The GDR's dictatorial ways and bureaucratic repression were criticized, but they paled beside the achievement of a truly antifascist society via the abolition of capitalism. Though poorer than the West and more repressive, the East was perceived to be an experiment worthy in principle if flawed in practice. After all, the GDR claimed the legacy of Marx, Engels, Liebknecht, Luxemburg,

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Thaelmann, and Brecht in a land where Hitler had ruled not long ago.

This perception of the GDR is linked to the political fate of the left inside the Federal Republic. Until the late 1960s, virtually all West German discourse was engulfed by an anticommunism that often bordered on outright hysteria. In no other European country did anticommunism serve to affirm the existing order as forcefully as in the Federal Republic of Germany. Much of the West German left—led by the Social Democratic party—shared this antipathy for everything communist throughout the 1950s and much of the 1960s.

The year 1968 changed this both "from above" and "from below." It marked the intellectual origins of social democracy's *Ostpolitik*—a policy that, in the long term, contributed decisively to Leninism's eventual collapse. One of *Ostpolitik*'s contradictions was best described by its political architect, Willy Brandt: "In order to shake up the status quo politically, we had to accept the status quo territorially." As for the changes "from below"—little in West German public and private life remained untouched by the challenges posed by the New Left. Concentrated in Berlin, Frankfurt, and a number of university towns, the '68ers created an extraparliamentary movement that confronted all German institutions, including social democracy. Initially operating against social democracy, the New Left was in good part transformed by social democracy's reforms during the 1970s, which led to an uneasy symbiosis between the New Left's successors—the new social movements—and an SPD that, in turn, had become radicalized by its contacts with these movements. The interaction between social democracy, the New Left, and its successors also changed the earlier adherence by the left—and by the general public—to traditional anticommunism. In the course of the 1970s the SPD and much of the West German left tempered its anticommunism and came to accept the GDR. The '68ers were much more critical of the GDR's communism than some of the Greens and a good portion of the SPD would be later. At the same time, they were equally opposed to the repressive aspects of Bonn's anticommunism. Whatever the rivalry between Social Democratic "reformism from above"—the SPD led the government from 1969 to 1982—and its extraparliamentary challengers "from below," both contributed to a broad leftist milieu in which public criticism of the GDR became taboo. This "anti-anticommunism" was challenged only periodically by some daring Greens, but virtually never within the SPD, excepting some pockets of the party's right wing.

Unification upset the left's equilibrium. For a decade, the values of "old" and "new" politics had contended with each other. Just when the "new" priorities triumphed, enter the old GDR. Questions of feminism and ecology were again overwhelmed by bread-and-butter issues. Jobs, growth, energy, and investment all had to be debated again. In the united Germany of the 1990s, East Germany's 1950s-style materialism will undoubtedly challenge West Germany's 1980s-type postmaterialism as the left seeks a new identity.

Finally, a generational factor also helps explain the West German left's discomfort with unification. Surveys show that many young West Germans perceived the GDR as considerably more foreign than Holland, Austria, Switzerland, or even Italy. In other words, the division of Germany and Bonn's successful integration into Western Europe diluted identification with the GDR in favor of cultural empathy with other Western countries. In fact, the contemporary West German left is very much a creature of West Germany's successful integration into Europe. This has led, among other things, to an intellectual and experiential distancing of the left from Eastern Europe on a number of levels.

In recent decades the German left has been, by and large, uninterested in Eastern Europe's dissidents. The contrast with the French and Italian left could not have been more stark—at least in this area. The SPD and the trade unions have an especially ignominious record. Mention of the Soviet invasion of Afghanistan—even in a "politically correct" combination with the U.S. involvement in Central America—was repeatedly shunned by one of the trade unions' main youth organizations. A leading activist (who was prominent in the

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leftist Media, Printers' and Writers' Union) condemned any union member who protested the dissolution of the Polish writers' union. The Polish union, he declared, was a "fifth column," which undermined "socialism." Some of his colleagues called KOR, the organization of Polish intellectuals associated with Solidarity, "a questionable organization which transforms Solidarity into a political resistance movement." Many unionists and Social Democrats railed against the "Catholic-reactionary" nature of Solidarity (in 1981, *not* 1991). One member of the media union went so far as to compare Polish unionists to Hitler's storm troopers.

Tacit approval of the communist status quo in Eastern Europe reached the highest echelons of the West German Social Democratic hierarchy in a bizarre—though telling—incident in December 1981. SPD Chancellor Helmut Schmidt spent a sequestered weekend consulting with GDR chief Erich Honecker—in the latter's country house—while General Jaruszelski's troops were imposing martial law in neighboring Poland. Schmidt was not sufficiently disturbed by the events to break off the meeting.* The neglect of Eastern Europe by the German left led to an understandable mistrust by East Europeans of the German left. At the celebrations of Willy Brandt's seventy-sixth birthday in December 1989 in Berlin, Pavel Kohut declared that "you [Social Democrats] will yourselves have to analyze why you dropped us in the 1970s, and why you allied not with the beaten but with the beaters, or at best stayed neutral." The German left carries a heavy burden concerning Eastern Europe.

Looking West, we find problems of a somewhat different nature. One legacy of the "new" left is a tendency to frown on large-scale projects. Consequently, the German left has been rather uninterested in Europe '92. The Greens, in particular, exhibit substantial hostility toward the project. They have articulated the conventional (and largely correct) criticisms of the plans for a unified internal European market as a distant, overly bureaucratized, dehumanizing, and capitalist megamachine that will trample everything in its way. However, I have yet to see any comprehensive proposal from the German left that could even vaguely serve as a useful political strategy for these fundamentally new conditions. The unions seem completely preoccupied with defending the economic interests of their members and are fearful of a challenge to their position from the working classes of Europe's southern rim. Moreover, they have also been confronted with the onerous task of integrating the increasingly worried workers of the former GDR into a new union structure. This unexpected development demanded the unions' full attention and further diluted their lukewarm commitment to Europe '92. The extreme negativity of the Greens may render them peripheral to the entire debate on Europe's future. And the Social Democrats are once again caught between residues of their "old" left fixation on growth and their "new" left negation of growth and everything related to it. For too much of the German left, endless hearings in the committees of the Brussels-based Eurocracy—concerning issues like the standardization of measurements across the continent—seem boring and irrelevant to the "big picture." The German left is consequently largely absent from the trenches while European capitalism is dramatically reorganized. Its warnings that Europe '92 means a "Europe of capital" may become a self-fulfilling prophecy.

Finally, the German left harbors a fundamental mistrust of power and leadership as a consequence of the Nazi past. Although commendable in many ways, it can also lead to irresponsibility. This became evident in the process of unification, when many Social Democrats, and especially Greens, simply refused to accept a reality that contradicted their image of what should have been—and because this reality demanded forthright leadership from them. Had the Social Democrats recognized that unification—not a two-state

* Friends of mine who attended an anti-Jaruszelski demonstration that Sunday in Frankfurt were not surprised by the low turnout in a town known for the political activism of its sizable leftist subculture. Except for some anarchists and Trotskyists, most of the left stayed home. This would not have been the case had it involved comparable developments in Central America or other parts of the Third World, including Iraq, of course.

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solution—was the name of the game as of January 1990 and had they assumed a posture of leadership, German unity might not have become the exclusive preserve of the conservatives. The SPD and the Greens were reactive when they could and should have been active in shaping unity from the very beginning. A similar predicament pertains to Europe. Again the left seems resigned to accept the role of post hoc critic instead of vigorous creator. In fact, the German left has much to contribute in the formation of this new Europe. By virtue of Germany's hegemonic position its left has—despite itself—become Europe's most influential left. Its Social Democratic party, now led by the quiet but very capable Bjoern Engholm—a centrist—remains the dominant force in the Socialist International and on the European scene. Engholm is the SPD's fifth postwar leader (following Schumacher, Ollenhauer, Brandt, and Vogel) and gained national attention by leading the party to impressive successes in the state of Schleswig-Holstein. Although he belongs to the same "restless" generation inside the party as Oskar Lafontaine and Gerhard Schroeder, Engholm seems to be both temperamentally and strategically a conciliator. This is exactly what the party needs. Lafontaine's confrontational style and imperious personality were too divisive for a movement encumbered by serious identity problems. Engholm's quiet confidence will provide the party with fine leadership while at the same time offering it some respite from the frenzied conflicts of the recent past. Once the party is able to adjust to the fact that it operates in an enlarged Federal Republic in a completely new Europe, it will experience an electoral revival similar to the one that boosted it into power in the late 1960s. The absence of the West German Greens from the Bundestag during the following term should give the Social Democrats a much-needed breathing space. They can safely claim to be the sole parliamentary representatives of the left. Unlike in the 1980s, the Greens won't be able to upstage them. If the SPD's elites shed their unification phobia and develop a viable strategy for the new Europe (and, of course, the new Germany), Social Democrats could recapture power before the end of the century.

The Greens, too, can put their identity crisis to good use. Local and state contests after December's Bundestag election have demonstrated that the Greens will remain a permanent political force in Germany. Their disappearance from the federal level is a temporary phenomenon due mainly, though not solely, to the specific circumstances of unification. If the Greens can curtail the internecine battles that have disrupted them so often, they can re-enter the Bundestag in 1994. But both parties must recognize that German—and European—politics in the 1990s will differ dramatically from the previous four decades. Germany is no longer "merely" an economic giant and a political dwarf. It is a new and very powerful country in a new Europe no longer divided into East and West. True, many of the past markings that defined the identity of the German left still remain—relations vis-à-vis the Soviet Union, and the United States, the problems of capitalism and socialism. The surroundings, however, have changed significantly. It was one thing to be the progressive force in a smaller Federal Republic of Germany tied to the United States. It is entirely different to play this role in a united Germany within a transformed, and still changing, Europe. A new self-perception and a new strategic presence are required. *Ostpolitik*, to take one example, will no longer mean accommodation with a formidable communist foe for largely instrumental reasons and purposes of temporary detente. Instead, it will denote the projection of German power in an economically fragile and politically volatile part of an otherwise wealthy and stable continent. A new era in German politics has begun; the future of the German left will depend on its ability to adjust and innovate. □

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Bogdan Denitch

RETURN TO THE THIRD WORLD

Rethinking Some Familiar Problems

The upheavals that toppled the East European regimes in 1989 exposed the realities of the communist system. Denied for decades, especially in the Third World, the truth was finally exposed. Because it was the enemy of the old colonial powers, the Soviet Union was seen as "not all that bad" by many Third World radicals. The notion that the enemy of my enemy must be my friend was popular through much of the Third World, but this naive Machiavellianism proved to be inadequate for a complicated and nasty world in which two superpowers could threaten peace and the "enemy of my enemy" represented a new repressive system. The fact that the United States has often lied about its role in the world did not mean that it was always wrong in describing its rival. Not only were communist societies subjected to decades of one-party tyranny, but even the cynical justification for that dictatorship—that it provided a short cut to rapid economic modernization—also proved to be quite wrong.

Presented as models of development for the Third World, the communist regimes lagged behind comparable industrializing societies. Much of communist development was misdirected, creating industrial white elephants (obsolete steel plants, and so on). Vast areas of Eastern Europe and the Soviet Union have been turned into an ecological horror show. The few nominal communist regimes that survive in China, Vietnam, Cambodia, Laos, and Cuba are sui generis, the exceptions that reveal the depth of the crisis of communism as a world system—the very system once seen as the "grave digger" of capitalism.

The Soviet Union, about which Third World radicals knew little, seemed attractive to them, in good part because of their experiences with Western colonial powers, about which they knew a great deal. The major colonial powers were usually parliamentary democracies at home, even as they were repressing subject peoples. The democratic French republic waged brutal wars in Africa, Vietnam, and Algeria before and after the Second World War. Democratic British governments colonized much of Africa and the Middle East. Democratic Holland and Belgium were brutal and racist in their colonies. The United States, preening itself as a paragon of democracy, smashed the Native Americans, practiced legal racism up to the 1960s, robbed Mexico of half its territory, and reduced much of Central America to a colony in all but name. These democratic states were, of course, also capitalist. So it is not strange that the enemy of the capitalist system would seem attractive to the victims of that system.

Social Change, Free Will and Necessity

The main argument that could reasonably be made in behalf of radical Third World regimes is that, in the best cases, they have made greater advances in literacy, child mortality, and life expectancy than other regimes in countries with comparable or even superior economic indicators. Statistics about such matters tell us a great deal about the way Gross National Income is distributed—a question of great importance in poor countries with huge income differences. They also tell us much about the social priorities of a government.

So the argument I mentioned in the previous

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paragraph has a certain appeal, but it can be applied quite as much to mildly reformist regimes such as those in Costa Rica and Sri Lanka as to full-blown one-party dictatorships. Meanwhile, there remains the question of relative costs of development and progress. It's also true that in some instances it was necessary to have a revolution or civil war to remove foreign occupiers in order to produce the kinds of modest results that can also be found in the mildly reformist regimes.

Unfortunately, there are too many cases where religious and nationalist conflicts, as well as mistakes in developmental policies, have sharply reduced the living standards and economic prospects of Third World countries. Burma, Zambia, Sudan, Tanzania, Ethiopia, Somalia, Zaire, Bangladesh, Bolivia, and Peru are examples. Some, like Burma and Zambia, had excellent prospects after decolonization. Some were ruled by radical military regimes and engaged in "socialist" experiments at great cost to their peoples. The extent to which these states are victims of impersonal forces of the world economy, as distinct from the economic and political errors of their postindependence rulers, is an open question. But major responsibility clearly rests with the military rulers and the intelligentsia. Some choices did exist, even if limited ones.

Genuine political and economic options in the Third World are not to be found in the pabulum of a civics classroom. These countries are inhabited by flesh-and-blood men and women who react to the demeaning backwardness and oppression of their countries. These societies desperately need change, and many of the Third World activists and leaders are educated people who know that life can be better, that in some countries it is indeed better. Therefore they also believe that life in their own countries is miserable for the vast majority not because of fate or the will of God but because of decisions made by human beings. It is natural to assume that what was constructed by human agency can also be altered by human activity.

Thus, a central issue in the Third World is the role of free will, or the degree to which political alternatives can be affected by conscious human agency. This is a profound challenge, which will be repeatedly taken on by new generations. Sometimes a sheer act of defiance against a corrupt and incompetent system is necessary to remind oneself of one's humanity. It is that element of existential despair, the choice of personal risk and commitment, that links revolutionaries from a more or less Marxist background to Catholic activists who embrace a theology of liberation. The pity of it is that personal commitment and anger are not a substitute for rational choices and good judgment.

Decolonization, Nationalism, and the Abandonment of Subalterns

The problems posed by Third World nationalism have been exacerbated by the abdication of minimal moral, financial, and political responsibility by the former colonial powers. This is not simply a question of the nature of the world economy and the exploitative relations between metropolitan countries and most colonies. The more difficult problem concerns former micro-colonies that were created artificially and that never had a genuine national or economic basis.

This is the case with a number of small island colonies in the Caribbean, Indian Ocean, and the Pacific, where the original inhabitants were wiped out or displaced with new settlers who were often semifree or slaves. Independence often became a convenient way of extricating the colonial power from any social or financial responsibility, or from the obligation to accept immigration to the metropolitan country. Indigenous colonial populations have been left to the not-so-tender mercies of whichever ethnic group emerged as dominant in the former colony and which often imposed discriminatory measures.

Former Dutch and British Guiana and the Fiji Islands are examples, as is the tragedy of Asians in East Africa. In those cases the old colonial power simply abandoned "minority" peoples to their fate. The Asians, for example, were economically and socially quite adaptable to the limited opportunities in heterogeneous colonial societies. In the three Guianas, a cursory comparison of political and social

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conditions leads to startling conclusions. French Guiana, which has formally become a part of France and thus the European Community, is light years ahead of the other two. Decolonized former British and Dutch Guianas are miserable dictatorships where the descendants of Africans oppress descendants of immigrants from India—and both ignore the few remaining indigenous people. In both of the independent colonies living and educational standards have gone down for decades. Continued rule is maintained by aid from the CIA, with oppression tolerated by the United Nations and the rest of the world so long as it is garnished with nationalist rhetoric. But in reality there never was a demographic, economic, or historical basis for creating separate Guyanese states from the leavings of colonial empires.

In Defense of Universalism

The heterogeneous nature of a number of the former colonies and the difficulty of applying modern nationalist ideas to the states that would emerge after independence was fairly clear even before decolonization. Why, then, was Third World nationalism so often regarded as "progressive" by the left in the industrialized countries? Why was there such an unwillingness to face the fact that many of these states rapidly became dictatorial or military regimes oppressing subject national groups more ferociously than the colonial nations had? For that matter, they often harshly exploit their own majority people, some even engaging in near genocidal attacks.

There are several reasons for this tolerance of national oppression. The most popular one was based on the proposition that these were "underdeveloped" nations that had gotten that way primarily because of Western colonialism. Therefore, they could not be judged by standards that Europe and the United States adopted only in the very recent past, and often themselves violated, particularly where non-Europeans were concerned. This view assumed that with economic development these nations would all move toward political democracy and individual freedom of the "Western" type. In any case, it was argued, Western societies had no right to criticize the newcomers to nation building, especially if one remembered the huge costs Europeans had imposed on their countries and the world during their own development.

The problem with this view is that it ignores the fact that knowledge of political, economic, and institutional alternatives is not limited by the level of a society's economic development. The leaders of national independence movements in the newly independent Third World countries had access to the same knowledge of alternatives as their opposite numbers in the metropolitan countries. They had often gone to the same universities and military academies as the leaders of the metropolitan countries. These were not noble savages who had to learn for themselves by trial and error; they were men, and more rarely women, with access to the most advanced thought about politics and economics. Benazir Bhutto went to Oxford and was president of the Oxford Union; the generals who toppled her government went to Sandhurst. Leaders of many of the Third World countries are as well educated as their opposite numbers in the advanced North. They should therefore be treated as responsible political actors and not patronized by high-minded northerners.

A second view is more relativistic, based on the argument that oppression and democracy are culture-bound concepts. To object to violations of human rights in Third World countries is to impose alien values on different societies and cultures. That is nothing more than a presumption of Western superiority—in contemporary jargon, of "Eurocentric" concepts of right and wrong. These concepts, in turn, are based on the assumption that certain norms are universal, which also is a "Eurocentric," culture-bound notion. Burning widows, caste discrimination, chattel slavery, female circumcision, death penalties for blasphemers, child marriage, torture of political opponents are thus all customs that belong to other cultures as "valid" as our own. It is the height of arrogance—so runs this argument—to demand that those societies abide by European norms. In any case, Europe and the United

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States violate their own norms; the United States, alone among nations, used nuclear bombs against civilians.

This line of reasoning assumes a far more autarkic world than the one that exists. The horrors a Bokhassa and an Idi Amin imposed on their African populations were not products of a return to a "real" past. The invented traditions they laid claim to were imposed with modern weapons and enforced with modern methods of torture and surveillance. Islamic fundamentalism now uses modern cassette tapes to spread its message, and when it can, it builds modern armies. Kurds are repressed in Iraq with the use of modern poison gases.

I, for one, have no trouble accepting the charge that the values I defend are universalist in origin and character. Those values include human rights, rights for women, political democracy, egalitarianism, and individual freedom. That is why it was morally and politically good that French democrats and intellectuals opposed torture in Algeria, and defended the rights of the Algerians and Vietnamese to independence. These universalist values are products of the long evolution of European democratic thought, which owes a major debt to non-European civilizations, philosophies, and religions. It owes a special debt to Islamic civilization, which preserved, and often enriched, Greek, Persian, Judaic, and Hellenistic ideas during the six centuries when Europe was a backwater.

Solidarity with democrats and socialists in the Third World must begin with the assumption that concepts like democracy, freedom to organize, individual rights and liberties, and equality for women are not culture-specific "Western" ideas to be doled out in the Third World in small doses when elites decide it is appropriate. These are goals in a universal struggle for democracy that are desirable in themselves. They are also indispensable tools for developing decent societies capable of growth.

Democratic leftists must reject the racist and neo-Darwinian notion that democracy is something reserved for the developed societies. The immediate rights of peasants and workers must not be sacrificed to some abstract notion of national progress as defined by self-selected vanguards. The emancipation of women cannot be postponed to a vague future. I have always found it strange that educated radicals in the Third World, including women, who believe in individual liberties, including sexual emancipation, will often argue that equality for women is a "culture-specific" form of Western cultural imperialism.

Another reason given for failing to object to human rights violations in the Third World is based on the proposition that "they" are on the right side of a world conflict against imperialism. But that is an idea whose origins lie in the past. Its most benign recent ancestor was the Italian independence movement of the nineteenth century, the *Risorgimento* of Giuseppe Mazzini, with its assumption that democratic nationalism was the foundation of a larger cosmopolitan democratic community. That nationalism was based on popular will and a repressed national identity. Throughout the nineteenth century, high-minded European democrats supported the national liberation of the Irish, Poles, and Italians, and, much less often, the South Slavs, Greeks, Armenians, even the Algerians and Indians. Since the time of Marx and Engels there had always been supposed to exist more or less "progressive" nationalisms. But the same leftists who back black nationalism in the United States or South Africa, or Cuban nationalism, will often refuse to support Kurdish, Israeli, or Berber nationalism.

Support for national independence movements in the Third World assumed (1) that the nation in question did exist in the consciousness of sufficient majorities so that it could win a plebiscite and (2) that the new unified and freed nations would practice democracy and tolerance toward its minorities. A romantic Rousseauian faith in the essential goodness of human nature was extended to some of these nations.

But it was difficult to extend support of plebiscitary nationalism to artificially created former colonies where mutually antagonistic peoples were unwillingly packaged together.

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What that proves is that innocence and ignorance can coexist.

The Enemy of My Enemy Is Not Necessarily a Good Friend

Organized support for anti-imperialist nationalism emerged after the Russian revolution of 1917. The Soviet Revolution, isolated by a hostile world, found allies not in the revolutionary working class of advanced industrial countries, as its leaders expected, but in nationalist movements directed against imperialism. In the twenties practical alliances were forged between the Soviet Union and the radical nationalist governments of Kemal Ataturk's Turkey and Sun Yat-sen's China. The Communist International developed ties throughout Latin America, Asia, and, with less success, Africa. Two dynamics were set up: the training of Third World revolutionary leaders in the European Communist parties or Moscow and the development of networks of support for colonial revolutionary struggle in Europe and North America.

Despite inexperience, adventurism, and mistakes, the Communist International managed to develop more cadres outside of Europe in twenty-odd years than the larger parties of the Socialist International during their entire existence. The communists were the first to break with the historic focus on Europe by the international workers' movement. This made international communism a potential ally, even a mentor, for a generation of future revolutionaries in Asia, Africa, the Caribbean, Latin America, and the Middle East.

Such alliances became more common after the Second World War when the language and symbols of radical anticolonialism took on a pseudo-Marxist cast, in the same way that they had been pseudoliberal in the nineteenth century. Sometimes they were really fascist or corporate-statist in the years between the two World Wars.

Their character remains essentially national populist, with the oppressed nation—sometimes defined in religocultural terms—becoming the substitute for class in the socialist and Marxist movements. Islamic populism, Arab "Baath socialism," and, for that matter, some branches of left Zionism are examples. Both Mussolini and Perón stressed the concept of the have-not exploited nation whose interests were more urgent than those of contending classes in ways very similar to contemporary Arab or African "socialism." All conflate "ethnos" and "demos," the nation and the citizenry. This makes democracy very problematic for those subjects of a national state who are not members of the dominant nation.

In the post–Second World War period the Soviets aided a number of anticolonial revolutions. Aid increased after the death of Stalin, under Khrushchev, and, above all, under Brezhnev, who expanded military and economic ties throughout the Third World. The Soviet Union did not have to be all that attractive; growing hatred for the United States, seen as the prop of neocolonialism, made the Soviets appear a lesser evil.

Where arms were concerned, the Soviets were friends of most radical and revolutionary regimes and groups in the Third World. In the early eighties the Soviets helped the Angolans, Ethiopians, and Nicaraguans, as well as some other radical Third World regimes and movements. Soviet weapons, incidentally, were not gifts; they were sold, on generous long-range terms perhaps, but sold. There have been grotesque examples of what regimes were considered "progressive" by the Soviet policymakers. Two of the worst examples were Uganda under Amin and former Spanish Equatorial Africa, which was ruled by a mad despot who managed to kill or drive out more than a quarter of the population. One of the results of Gorbachev's *glasnost* is that past misjudgments about African despotic regimes are now acknowledged by Soviet experts. More somberly, all Soviet support, military and economic, will be reduced in the years to come. Decline in Soviet aid was capped in 1990 with an implicit partnership with the United States in creating a "New World Order," one in which elephants and fleas retain their respective roles. That is bad news for the Third World, because it increases the tendency on the part of the United States and Europe to neglect the needs of the South.

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Both the United States and USSR had insistently subordinated the needs of the developing countries in their imperial rivalry for decades. I write *imperial,* not *imperialist,* rivalry. The traditional definition of imperialism as primarily an economic category is difficult to apply to the Soviet Union or, for that matter, even to the United States today. Military strategic considerations (even mistaken ones), maintaining allies, even simply complicating life for the rival power often explain much more.

The support, critical or otherwise, for the Soviet and East European "socialist" countries within the Third World had been historically based on two claims made on their behalf: that they were progressive and anticapitalist, having abolished private property in the means of production and distribution, and that they were anti-imperialist because they challenged the world system dominated by the United States.

"Politocracies" would probably best describe Soviet-type societies before their disintegration—a shorthand term that emphasizes that these societies were not in any way worker-run states. In a way, this description made these states more attractive to the political elites of the Third World. For despite all their egalitarian rhetoric, these regimes were themselves ruled by small coteries of political activists or young army officers. Hence the appeal of the authoritarian Soviet-type regimes. The masses were expected to participate; they were going to be educated and "politically developed" but they most certainly were not supposed to gain political power. Above all, they were not to develop or maintain independent institutions and organizations. Participation in mass organizations under the control of the ruling party was highly encouraged under radical Third World regimes, and was pointed to as evidence of support for the regime. The "bourgeois democracy" of competing parties, organizations, independent unions, and press was presented as inferior. And that was a point of convergence between the communist and Third World societies.

There were also a great many differences, not the least of which were (1) the immense poverty of the Third World "socialist" countries and (2) their limited efficiency, even at repression. The absence of competitive democratic political traditions, as well as caricatures of West European parliamentarianism, all too often revealed another truth: parties representing the old elites alternated in power—with unprivileged and poor rural groups unrepresented—and this gave parliamentary democracy a bad name.

The Role of the United States

For decades the United States had propped up reactionary regimes with only the tiniest fig leaf of democratic fabric. Conservative regimes were repeatedly "certified" to be democratic and respectful of human rights as against more democratic and less repressive radical regimes that the United States happened to oppose. The U.S. treatment of Guatemala, which has waged a murderous war against its Indian majority, comes to mind. Military aid went to Islamic fundamentalist "freedom fighters" in Afghanistan, rather than to the Southwest African Peoples Organization or the African National Congress. Polite pressures for free elections in Paraguay and Chile contrasted markedly with the insistent demand for free elections in Nicaragua. Add to these illegal acts of war, such as the mining of harbors and arming *contra* insurgents against a government with which the United States was legally at peace. All this happened recently, in the past decade.

This status quo, as even the Pope has repeatedly stated, is fundamentally unjust. Meanwhile, the symbiotic relationship of the two superpowers in much of the world repeatedly twisted various Third World struggles into extensions of the cold war. Hatred for the United States and its local allies builds support for local revolutionary movements and parties, and it is a justified hatred.

At the same time, fear of proto-Stalinist repression creates allies for the United States in the Third World. Most allies of the United States, however, are motivated by fear that their property and privileges would be destroyed, whatever else a radical change would achieve. That is why proposals for democratic social or economic transformation sponsored by the United States in Third World societies, proposals that reemerge under liberal Demo-

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cratic administrations, were and are illusory, even when well meant. U.S. allies in the Third World may sometimes be more democratic and law abiding, but they are never in favor of fundamental economic redistribution and social equality.

Under President Carter the United States was helpful in fighting human rights abuses in many countries friendly to the United States. But many of the regimes abusing human rights had been set up with the active participation of U.S. agencies. Their police forces had been trained and financed by the United States. It isn't hard to understand why the United States is not taken all that seriously when it raises issues of human rights. Death squads and massacres by the military and landowner cliques in Guatemala, El Salvador, Indonesia, or the Philippines did not generate indignation from the United States. But the Sandinistas, who, warts and all, were less repressive than any of their neighbors except Costa Rica, were repeatedly denounced for violations of human rights.

An example of the devastation caused by the United States within Third World societies is its role in the international drug trade. While administration after administration declares verbal war against drug traffic, the United States has a major responsibility for the growth of this plague. The uncontrolled demand of the American domestic market for drugs fuels the entire malignant industry. Much of the trade and refining of drugs originates with U.S. clients in the Latin American military, Thailand, the Afghan "freedom fighters," Turkey, and other governments and groups friendly to the United States. The vast sums in the international drug traffic encourage large-scale corruption in Third World countries and serve as another barrier to social advance and democratization.

All the sins and errors of the various U.S. administrations, however, are less important than its central role in maintaining the present world economic system. That system remains the major problem of the would-be reformers and democratizers, not the policies of one or another administration in Washington. The greatest source of instability in the Third World is caused not by communist or radical subversion but by the pressure of the world banking system on their economies. U.S. policy on debts to domestic and international banks has effectively imposed a moratorium on any measures dealing with poverty, inequality, and injustice. It does so by insisting on austerity in countries already miserably poor—a dogmatic insistence on fiscal austerity and a market-type economy advanced with the same rigidity that primitive Marxists had in favor of collectivization of land and central planning.

Third Worldist Ideologies

Third Worldist doctrines were mostly developed by radical academics in the advanced countries who had little or no active connection with any socialist or labor movements in their own countries. They were pessimistic about the prospects for significant egalitarian reforms in their own or any other advanced industrial country. The workers of the advanced capitalist countries, whether organized or not, were seen as totally co-opted by their economic and social system, merely interested in material gains and hence not as radical as these revolutionaries of the chair. On the other hand, according to most academic Third Worldists, the people in the Third World do not have a rosy outlook either, because their countries are doomed to underdevelopment by the immutable fact that the world market always imposes terms of trade that are unequal and exploitative. Their solution is to break away from the world market and try a path of independent development, which can most charitably be described as autarkic; that is, they would have to go it alone.

Because going it alone would impose great privation on most of these societies, it is unlikely that this could occur with any vestiges of democracy. The "solution" would be a stern tutorship by an enlightened elite, somewhat like the Third World graduate students taught by these professors. Since these students were unlikely to be capable of carrying out these tasks, their real-life role was to become ideologues for the repressive modernizing elites

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in the Third World. And one reason these theories were so appealing was that they addressed a not-too-deeply-buried elitism of the Western-educated intellectuals.

The Democratic Left in the Third World

If anything is clear by now, it is that authoritarian and autarkic developmental short cuts do more harm than good. Many countries are also of a size that precludes an independent developmental strategy. It is grotesque that the left in general, and the Third World countries in particular, accept the boundaries inherited from the old colonial empires as the framework within which to build modern nations moving toward economic development. We were thus offered the roads to socialism of a Grenada, a Sao Tome and a Benin, or, for that matter, a Nicaragua.

Poor brilliant Leon Trotsky dared raise the question of whether socialism could be built in one country, even one as large and resource-rich as the Soviet Union! Many of today's leftist intellectuals are petrified at so much as a whisper that the "socialism" being built in these microstates might not have any chance of success. They are terrified lest they be attacked for arrogant Eurocentrism and a lack of sympathy for the victims of colonialism. Devastating damage is done to the concept of socialism when it is handled like a medal issued for good intentions.

There is a role for Third World socialists, a difficult one, which is to engage in relentless struggle for the expansion of democracy, embracing the mobilization of the broadest layers of the population. That means fighting to build democratic and participatory unions and popular organizations. Typically those who make up such organizations engage in efforts to spread literacy and establish educational and cultural institutions *independent of the state*. That is what radical Catholicism has emphasized in building self-help networks among the poor in Latin America. Much can be learned from the theology of liberation movements in Latin America and, for that matter, from the women's and other community organizations of the African liberation movements before they took power.

The vitality of organizations developed during the struggle for national liberation against colonialism once made me optimistic about the prospects of the postrevolutionary regimes in countries like Guinea-Bissau, Angola, Mozambique, and Algeria. This is in contrast with the countries that gained their independence without prolonged struggles based on mass mobilization over protracted periods of time. My optimism turned out to have been premature, if not mistaken. The huge emancipatory potential of mass organization from below has been repeatedly illustrated in the Third World. So, unfortunately, has the capacity for revolutionary elites to take over these movements and societies.

The Spanish anarchists tried to teach the revolutionary movements in authoritarian societies to be suspicious of bureaucrats, above all "your own" national bureaucrats and the state. The anarchists and rural socialists in the poorest regions of Spain before the 1934 Civil War, when Spain had many of the problems of a Third World country, provide interesting lessons. The iconoclastic grass-roots activists, without a centralized vanguard party, spread a genuine sense of empowerment and self-confidence and pushed the previously passive rural groups into the front lines of political struggle. This included women, who are all too often ignored by the Third World liberation movements and represent a major resource for democratic change from below. The rural anarchist traditions—in Spain, Italy, and Latin American countries—are more in tune with the realities of underdeveloped societies than the centralized models imported from the English Fabians or the Soviets. For that matter, decentralized market-oriented agriculture, combined with individually owned and cooperative small trade and appropriate technologies, are more appropriate to deal with economic scarcity than state ownership and control. This does not preclude some planning and fiscal controls. The mix will vary from country to country. In countries with weak civil societies one should support a weak state; where civil societies are strong, a strong legal state can expand egalitarian social services to the entire population and can be kept under democratic control.

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The Need for Genuine Solidarity

The issue of aid to the underdeveloped countries is complex, because many of the forms that such aid took have done more harm than good. Much of the aid had been linked to the cold war, and the political price dragged the recipient countries into superpower confrontations. This has speeded up the tendency for the newly independent countries to spend increasing shares of their resources on arms and diverted precious resources. It has also strengthened the military in fragile societies with only rudimentary civic institutions.

Socialists and democrats should propose an equivalent of the Marshall Plan. What is essential is a massive systematic effort over time, as distinct from ad hoc aid. To be effective that aid must produce egalitarian growth leading to self-sustained balanced and ecologically sound development. That in turn would be a major help to stagnant industries of the North.

Social democratic movements and parties of the North need a project to mobilize the idealism of the younger and better-educated publics if they are to survive. No project is more appropriate than a worldwide war on hunger, exploitation, and political oppression in order to create the first genuine human world community. □

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WOMEN AND RIGHTS

Edited by Jean L. Cohen and
Cynthia Fuchs Epstein

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International Women's Day labor march and rally, New York City. Michael Kaufman/IMPACT VISUALS

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Jean L. Cohen

ABOUT WOMEN AND RIGHTS

Introducing the Discussion

That rights are controversial for women is neither a new nor an obvious idea. Although some of us would be quick to attribute only to men the view that women do not need equal rights, this would be misleading. How many of us realize that the main activists against women's rights in the past century have been women? In fact, the women's rights movement is the only one I know that has occasioned countermovements by its intended beneficiaries—by women and at times even by feminists.

The struggle for the right to abortion and the counter "right-to-life" movement (peopled mainly by women) is just the most recent example. It was primarily women who organized and ran the antisuffrage movement at the turn of the century.[1] Many women oppose the use and legalized availability of contraceptives. The vast majority of women's organizations in the first third of this century fought against passage of an Equal Rights Amendment, insisting that women in the workplace needed protection more than equality. Recently, women (need I mention Phyllis Schlafly?) mobilized against the ERA, on the grounds that it would undermine women's status and prestige in our society. I know of no similar movements by blacks, workers, or ethnic groups in the United States against their own enfranchisement or against the acquisition of equal rights in the polity, the workplace, or civil society. Nor has the issue been resolved. On the contrary, it has become one of the most hotly debated topics within feminist legal and political theory.

What is behind this controversy? In spring 1989 *Dissent* carried an article by Ann Snitow, "Pages from a Gender Diary: Basic Divisions in Feminism." Snitow identified a divide that in one form or another permeates all feminist theory: on one side those who want to undermine the category "woman" so as to minimize the legal impact of sex difference and gender; on the other, those who want to keep the category while changing its meaning and value in order to challenge existing gender hierarchies and to empower women. The first group embraces an androgynous ideal focusing on what women and men have in common; the second insists on the positive aspects of women's "difference."

Snitow convincingly argued that there is no theoretical high ground of neutrality and no obvious strategy that can offer a clear way out of this divide. I agree. The reason for this is the new sense of indeterminacy regarding gender identity. We have come to recognize that the meanings of sex, gender, and the body are not given but are socially constructed. As a result, we have to learn to live with the following complexity: women (like men) lead gendered lives and yet are not and refuse to be overdetermined by gender or gender stereotypes. All that is solid has indeed melted into air. Small wonder that the battle concerning gender is now drawn over who gets to interpret its meaning and who controls the practical implications of such interpretations.

The contemporary debate over which kinds of rights women should demand reflects the continued force of the divide pinpointed by Snitow. This debate takes place within feminist legal theory under the general rubric of

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"equality" vs. "difference"—the specific legal problem it poses is whether women ought to seek equal rights or "special" treatment from the law. Should women fight for truly gender-neutral laws and rights, or should they insist upon rights and benefits that reflect the gender-specific experiences of their lives? Those who champion the first position are called equality advocates; those embracing the second are labeled positive-action theorists. The problem is that each approach involves double binds and seemingly intractable dilemmas.

Let me cite as an example the controversy that recently emerged within the feminist community over the legal treatment of pregnancy-related disabilities at work.[2] Invoking the 1978 congressional amendment to the 1964 Civil Rights Act,[3] equal rights feminists argue that women affected by pregnancy, childbirth, and related medical conditions should be treated the same as all other persons in their ability or inability to work, that is, by gender-neutral laws. However, if a company does not grant disability benefits to anyone, the logic of this position is that pregnant women then have no claim to benefits.

Positive-action theorists, on the other hand, insist that since only women can bear children and the vast majority of women do become pregnant, formally equal rights or gender-neutral laws would deny women needed benefits and unfairly disadvantage women workers. On this view, women can be treated equally in the workplace only by being treated *differently*. Thus special rights for women as a class seem to be indispensable in this case and probably in some others, if we are to have equality of opportunity.[4] The problem is how to discern when truly gender-neutral laws can achieve this goal on their own and when the acknowledgment of difference and special treatment (without stigma) is necessary.

Although the debate over rights in general is often couched in strategic terms, there are important underlying theoretical and normative issues that point far beyond the doctrinal matters raised in law journals. Debates over whether equal or special treatment will help women most raise questions about the meaning of equality and its relation to sameness or difference. Debates over whether one should argue for abortion by invoking the right to privacy or the equality provision of the Fourteenth Amendment force one to rethink the meaning of privacy, autonomy, personhood, and identity with reference to the moral postulate of equality. If all individuals are moral equals entitled to equal autonomy and respect as subjects capable of pursuing their own life plans, then abortion rights raise fundamental issues of equality despite the fact that they apply only to women. And arguments over the need for and against gender-specific divorce laws and the overall meaning of sex discrimination raise questions as to whether the law can ever be both gender-neutral and just. In short, the debates within the feminist legal community should force serious rethinking not only about sex, gender, and the Constitution, but also the meaning of rights in general and of equality, privacy, autonomy, and neutrality, in particular.

Some have argued, however, that underlying the controversy over which kinds of rights women should seek is a more fundamental issue: namely, whether the language of rights in either form is appropriate to empowering women at all. As I've said, women's resistance to rights is as old as the women's rights movement. The reasoning by women who define themselves primarily as wives and mothers is simple: equal rights seem a threat to the doctrine of separate spheres and to the traditional concept of the family, by bringing women into a direct relation with the state, independent of their mates or brood. If the bearers of rights are seen as individuals, the heart of the feminist struggle for equal rights lies in the recognition of a woman's selfhood—of her existence as a unique person, different from other women, and with particular interests that might conflict with those of her husband, or even her children, at work, in politics, and in the home. Individual rights for women define women as individuals, outside a family frame of reference. They thus appear as a serious threat to those women who define themselves *within* that frame of reference, as wives and mothers. This is why supporters of

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the traditional family and of separate spheres mobilize against equal rights for women. This is also a source of the ideology that insists on a natural, biologically based (and morally superior) female identity rooted in the maternal role that requires recognition and protection of women as a group. We should not underestimate the continued strength of this view. In many parts of the country, traditional forms of life survive and so do efforts at strengthening them, often initiated by women understandably disenchanted with what the labor market or the world of politics has to offer them.

To be sure, almost none of the equal-rights feminists prior to the 1960s sought to challenge women's traditional roles in the family.[5] They saw no conflict between these roles and equal rights or the full inclusion of women in all spheres of life on formally equal terms with men. Since the 1960s, however, the second wave of equal-rights feminists did and still does seek to undermine the doctrine of separate spheres.[6] At first, however, these feminists also ignored the difficulties involved in trying to include women in the public spheres of work and politics on the same terms as men. However, this happy consciousness soon became undermined, in part because of women's successes in gaining formal equality and in part because of the issues raised by the younger generation of "second-wave" feminists in the late 1960s and 1970s.

As the examples of divorce law reform and sex discrimination jurisprudence show (see Okin's and Cornell's essays), formal equality and gender-neutral laws do not on their own undermine male privilege and power or seriously threaten substantive gender inequality in the labor market or the family. Still, the challenge to the public/private dichotomy and the doctrine of separate spheres initiated by radical feminists with their slogan that "the personal is political" revealed that women could not gain inclusion in economic or political life on equal terms unless there were fundamental changes in gender relations outside these spheres.

By the 1970s both "radical" and "equal-rights" feminists raised issues that opened the private sphere to public scrutiny. New breakthroughs in biotechnology have contributed to this development. But as the unresolved controversies over abortion rights (Olsen), the treatment of rape and domestic battery victims, pornography, child care, surrogacy contracts, and so on show, attempts to apply the principles of justice to the "private" sphere (Brill, Okin) have encountered intense resistance. This resistance, more than anything else, has led many feminists to conclude that apparently gender-neutral laws and rights regarding paid work and politics are often based on a male standard, backed up by hierarchical relations within the private sphere. Two new catchphrases capture the difficulties that women face under these circumstances: the "double burden of the working mother" and the "feminization of poverty."

There are several ways to respond to this conflict. One might conclude that only the extension of women's rights from the political and economic into the private sphere could make rights operate in a genuinely egalitarian manner for women. The model of rights cannot stop at the threshold of the family any more than at the doors of the workplace. The second approach, in opposition to the first one, involves new types of arguments against rights and has led to a "third wave" of feminist theory. The arguments of the "third wave" are no longer based on traditionalist or biological conceptions of either women's difference or woman's place. Rather, they challenge what are taken to be the conceptual presuppositions of liberal-rights theory. Drawing variously on Marxist, communitarian, and postmodern theory, contemporary feminist claims that rights are inimical to women reject the conception of the self and the model of society that is allegedly attached to the idea of rights. Let me briefly explain.

The old Marxist critique of rights drew upon two arguments: First, that formal equality (equal rights) in a society based on substantive economic inequalities is an ideology that conceals and reinforces class hierarchies; second, that the rights-bearing person enshrined by the various declarations of the Rights of Man is modeled on the bourgeois proprietor. In short, the idea of basic rights

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rests on the ideology of possessive individualism: it presupposes a competitive, atomistic, egoistic conception of the individual that has been generalized from market relations. As such it shores up the class hierarchies typical of capitalist society. For feminists resorting to the Marxist critique it was not a big step to add that the person presupposed by the idea of rights is not only a bourgeois but also a male. I would argue that these approaches confuse history with conceptual structure, for while it is true that property and gender have been invoked to restrict rights, it does not follow that rights are conceptually bourgeois or male.

The communitarian critique of rights-oriented liberalism is a variation on these themes. The central issue for communitarians is of course not class, but community. From this perspective, the liberal ideals of moral autonomy and individual self-development that underlie claims for basic rights presuppose an abstract and ultimately incoherent concept of the self as the subject of rights. As the communitarians see it, the bearers of equal rights are individuals whose relations are purely instrumental or self-regarding. But what the communitarians fail to consider, in my judgment, is that rights have never been defended as the sole source of morality, and that they come into play in conflict situations when community is already rent asunder. Like the Marxists, communitarians argue that the type of society presupposed by the theory of individual rights is a competitive market society. Thus, a society in which individual rights are paramount cannot be a solidaristic community but is alienated, anomic, privatized, and without moral substance. Still, it is easy to notice that the communitarian critics continue to dream of a society without division, without conflict, and without the risk of the tyranny of majoritarian consensus.

The feminist version of the communitarian critique of rights draws not upon women's biology but on their experience as nurturers. According to this view, rights thinking, especially if applied to the private sphere, devalues and threatens intimacy, care, relational responsibility, love, friendship, marriage, and the family. Thus, the ideal of individual rights is neither an appropriate ethical category for healthy personal relations (whoever said it was?) nor an acceptable ideal for the good life. But is the good life in a modern society conceivable without rights? Indeed, some feminists allege that thinking in terms of rights is part of a male style of identity that threatens what is most valuable in women's experience. They argue that instead of struggling for equal rights in the public sphere or to apply the principles of justice to the private sphere, women should defend the experience of nurturance and care in the private sphere and seek to generalize concrete duties of loyalty and membership from the private to the public.

One wonders if this supposedly advanced version of feminist ideology has not in the end converged with its erstwhile opponent, traditionalism. In any case, its advocates leave few instruments in the hands of women encountering traditional forms of oppression in the family. Thus, one could easily grant that when the principles of justice are applied to the private sphere they tend to undermine the family—that is, the patriarchal family and the power of the paterfamilias. But in modern civil societies, which are supposed to be regulated by egalitarian values, it is inegalitarian gender relations that are the real threat to family life.

Finally, the postmodern argument against basic rights involves a challenge to the very conceptions of subjectivity, universality, and human nature that the idea of rights seems to entail. Postmoderns insist that there is no abstract subject or human essence that can be invoked to justify basic rights; rather, the subject is merely another position in language. The concept of universality is a myth that illegitimately privileges the values of unity, totality, homogeneity, and closure over multiplicity, fragmentation, and diversity. And the metaphysical assumption that there is a real, unitary human nature open to discovery and representation by philosophy, which in turn can ground fundamental rights, is here dismissed as a misguided effort to find ultimate foundations. The possibility that there can be postmetaphysical justifications for universal rights seems to escape the advocates of this position.

Recently, many feminists have taken up postmodern arguments from the standpoint of gender relations. Accordingly, the discourse of the sovereign self-identical subject is seen as the dis-

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course of the male subject of reason; the universalistic ideal that has informed philosophies of history since the Enlightenment is taken to be based on the suppression of women's difference, history, and temporality, while the ahistorical and unitary conception of human nature enshrined in the idea of rights obliterates the hierarchical reality of gender relations. In short, postmodern feminist theory challenges the idea of basic moral or human rights as a dangerous Western, male myth that levels difference while constituting otherness (woman) as inferior. Since, on this view, there can be no justice without taking *difference* into account, rights and justice turn out to be antithetical. That the rights model can incorporate difference on the basis of a wider, more pluralistic, procedural notion of universality is hardly considered by advocates of this approach.

Such an assumption, however, is the key presupposition of this special section in *Dissent* devoted to "Women and Rights." We asked feminist legal and political theorists to address the controversies within feminist theory over rights in light of the divide between equality and difference and the fluctuating gender identities described above. Our purpose is twofold: to bring to *Dissent* readers an awareness of the discussion among feminists and to get us to think about the fundamental issues underlying the apparent strategic questions of how to get equality and how to empower women.

None of the articles included in this section adheres to an antirights perspective. Rather, they take rights seriously while seeking to accommodate or confront whatever kernels of truth there are in the three criticisms of rights. Indeed, although each of these arguments against rights is, when pushed too hard, erroneous, the issues they raise cannot be dismissed out of hand. As Susan Moller Okin's essay shows, feminists can ignore the gap between formal and substantive equality only at great cost to women. Drucilla Cornell demonstrates that sex-discrimination jurisprudence is plagued by the tensions between identity and difference. She thus attempts to formulate a conception of equivalent rights from within the "difference" perspective. Wendy Kaminer proceeds from the opposite starting point, attempting to develop a model of legal neutrality that can accommodate concerns for women's welfare and incorporate a multiplicity of perspectives. Frances Olsen and Alida Brill reveal the dilemmas on both sides of the privacy/equality controversy and attempt to address the concerns of each side in the abortion debate.

Although none of the pieces succeeds in providing a solution to the divide identified by Snitow, they do advance the discussion by trying to rethink rights in light of gender issues. They all seem to be saying that whatever the deficiencies in existing rights analyses, whatever the limits to rights-oriented politics, a modern society that does not take rights seriously cannot be considered a free society. Thus, when we criticize the limited or biased form that rights have taken until now, we must not abandon the terrain to the powers that be. Indeed, by mere virtue of the fact that all of these authors try to address the question of what kinds of rights women ought to claim, they implicitly reject the ideology that places property, possessive individualism, or the male at the core of the concept of rights. The challenge that

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feminist theory poses to those of us who recognize the connection between rights and freedom is the following: For women (and one hopes for men) to continue to take the idea of rights seriously, the core values underlying that idea must be reworked so that women can come to be considered both as individuals, persons, citizens, *and* as historically situated and embodied women who merit equal concern, respect, recognition, and solidarity. □

Notes

[1] For an excellent discussion of the suffrage fight, the battles over the ERA, and the dispute over protective labor legislation, see Carl Degler, *At Odds: Women and the Family in America from the Revolution to the Present* (New York: Oxford University Press, 1980), pp. 298–417.

[2] For an analysis of this controversy, see Lise Vogel, "Debating Difference: Feminism, Pregnancy and the Workplace," *Feminist Studies* 16:1 (Spring 1990), pp. 9–32. For the positive-action position, see Linda J. Krieger and Patricia N. Cooney, "The Miller-Wohl Controversy: Equal Treatment, Positive Action and the Meaning of Women's Equality," *Golden Gate University Law Review* 13 (Summer 1983), pp. 513–572. For the equal-rights position, see Wendy Williams, "Equality's Riddle: Pregnancy and the Equal Treatment/Special Protection Debate," *New York University Review of Law and Social Change* 13:2 (1984–5), pp. 325–380.

[3] Title VII of the 1964 Civil Rights Act prohibited discrimination on the basis of race and sex in places of public accommodation, in federally assisted programs, and in employment. In 1978 Congress passed the Pregnancy Discrimination Amendment to Title VII requiring that women affected by pregnancy, childbirth, or related medical conditions be treated the same for all employment related purposes as other persons not so affected but similar in their ability or inability to work. (42 U.S.C. #2000e(k) 1983).

[4] As the dispute over pregnancy benefits shows, the issue cannot be dissolved into the problem of affirmative action aimed at rectifying past discrimination, since certain "differences" between women and men are not the result of discrimination or domination and will not disappear.

[5] The exception is Charlotte Perkins Gilman with her book *Women and Economics* (Boston: Small, Maynard), 1898.

[6] The term "second wave" refers to the feminist movement that began in the 1960s. The first wave of feminism is usually associated with the struggle for the vote, which began toward the end of the nineteenth century.

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Frances Olsen

A FINGER TO THE DEVIL

Abortion, Privacy, and Equality

The Supreme Court decision in *Webster v. Reproductive Health Services* threatened, infuriated, and activated women throughout the United States.[1] Even before the decision was finally handed down, thousands rallied in Washington in the largest demonstration the capital had ever seen. Although opponents of *Roe v. Wade* hailed *Webster* as a tremendous victory and predicted an avalanche of restrictive abortion laws, the vast majority of legislative battles since *Webster* have been won by the prochoice side. The abortion issue is credited with seating Virginia's first elected African-American governor.

A growing number of legal scholars, especially males who have maintained a generally prochoice position in the past, have been urging a compromise on the abortion issue.[2] A typical argument is that both sides of the debate have been too strident and that those on the prochoice side should recognize the good faith of their opponents. Ronald Dworkin, for example, has begun discussing what he refers to as the "sanctity of life," and the ambivalence that Lawrence Tribe long expressed about the morality (though not the legality) of abortion has blossomed in his recent book, *Abortion: The Clash of Absolutes*. Legal academics may conclude that more "moderate" approaches will enhance the "integrity" or seeming influence of their own theories, but such considerations do not provide an ethical basis for such a retreat. Politically, the call to compromise would seem to me to be so disastrous as to raise important questions about the values and goals of anyone claiming to be prochoice but urging compromise at this moment.

If anything is missing from the abortion debate, it is not the kind of "moderation" and accommodation some male academics are calling for, but rather an adequate understanding of the deep-seated hostility toward and fear of women's power that fuels the abortion controversy. Not since the witchcraft trials has it been so socially acceptable to express such misogyny. In order to underscore the relationship between abortion and the movement for women's equality, I propose to review two constitutional analyses of abortion, one based on privacy and due process, the other based on equality or equal protection. Although the two approaches need not conflict, I argue that the equality analysis is generally stronger, although it should be expanded in significant and creative ways.

The standard constitutional analysis of abortion proceeds in terms of the right to privacy. In a long series of "privacy" cases the Supreme Court recognized a general right for people to decide certain issues arising from marriage and procreation free of state interference or coercion. Such decisions have been characterized as "so important, so intimate and personal, so crucial to the development of personality and sense of moral responsibility, and so closely tied to religious and ethical convictions protected by the First Amendment," that people have the right to decide "for themselves, consulting their own conscience, rather than allowing society to thrust its collective decision on them."[3] The abortion decision seems to its supporters to be at least as much a private decision as any other the Court has protected. Some consider abortion even "more private, because the decision involves a woman's

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control not just of her own connections to others, but of the use of her . . . body, and the Constitution recognizes in a variety of ways the special intimacy of a person's connection to her own physical integrity."[4]

This right to privacy analysis is both appealing and unappealing to women. It is appealing because women have long been "oppressed by [the] moralistic controls society places on women's sexual expression,"[5] while society places nearly no controls on men's sexual behavior. Anti-abortion laws limit women's ability to control their procreation and thus reinforce a situation in which women cannot reasonably enjoy sex and are inhibited from full use of sexuality as a realm of shared pleasure or as an expression of intimacy. By inhibiting women more directly and severely than they do men, restrictions on abortion also reinforce the double standard of sexual morality, undermining the notion and reality of woman as sexual agent while they reinforce the notion and reality of women as sex objects. The Court's privacy analysis appeals to women's interest in equality and freedom, including sexual freedom.

An additional positive aspect of the privacy analysis is its tendency to place the topic of abortion in the broader context of each individual's interest in controlling his or her own reproductive capacity. This context reestablishes the connection between birth control and abortion, which helps to counteract the tendency to treat abortion as an isolated act rather than one aspect of a woman's ability to control her reproductive capacity.[6]

Although privacy (like rights in general) is often thought to be an individual matter, a privacy analysis of abortion can also be more "group-based." Instead of beginning our concern with an individual pregnant female and asking whether she should be allowed to abort rather than carrying her pregnancy to term, begin with women as a group and ask what limits the state may put upon their efforts to control their reproductive capacity and how the state justifies these limits. If birth control is constitutionally protected, why should abortion be excluded from constitutional protection? Because every form of contraception is known sometimes to fail, abortion is a necessary part of controlling one's procreative power.[7]

However, much of privacy doctrine is based on the assumption that as long as the state does not interfere with private life, autonomous individuals will interact freely and equally. Yet, in so many aspects of life, certainly including sexuality, most women are not allowed to be autonomous individuals or to interact freely and equally with men. Throughout much of our history, a white man has been free to rape and otherwise abuse his slaves, servants, wife, and daughters. Changes in this situation have come about through government action, not through legal abdication in the name of "privacy." Under present conditions, "[w]hen the law of privacy restricts intrusions into intimacy, it bars change in control over that intimacy."[8] Privacy doctrine has all too often protected from public scrutiny the abuse of women that takes place within the supposed private realm of family life. Thus, a right-to-privacy analysis is also unappealing to women, because women have been "oppressed by [the] violence and sexual aggression that society [has] allow[ed] in the name of [privacy and a right to] sexual freedom."[9]

Early feminists criticized policies and practices that limited women to the "private sphere"; later feminists criticize the entire ideology based on a sharp division or dichotomy between the public and the private. I have argued elsewhere that the public/private dichotomy is false insofar as the state is implicated in the "private" sphere.[10] The serious power imbalance within the "private sphere" was created and is perpetuated by state policies in the "public sphere."

Moreover, a number of commentators have blamed the privacy rationale of *Roe v. Wade* for the decision in *Harris v. McRae* denying public funding of abortion." That is, privacy doctrine makes abortion a private right to be exercised by women rich enough to buy the medical care they need. Whether abortions have been legal or not, rich women have always been able to get them privately. But, of course, abortion is a major public health issue. Moreover, the price of access to abortion is

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determined by "public" policies to such an extent that there is no analytically clear distinction between a state erecting financial roadblocks that deny women's access to abortion or "merely" refusing to fund abortions for poorer women.

However critical they are of privacy, many women would be reluctant to abandon the privacy rationale until an alternative route for protecting women's right to abortion is fully in place. More important, despite the problems with and the debate surrounding privacy doctrine in general, it would be problematic to exclude from the "right to privacy" a woman's interest in choosing to have an abortion. Although women might be better off if society were to recognize the falseness of the public/private dichotomy and stop using the notion of "privacy" to justify women's continued oppression, women are likely to be worse off if abortion is excluded from the presently existing "privacy" doctrine. Even if "privacy" doctrine may be wrongheaded and have a negative impact upon women generally, the impact could be even worse if men are given privacy rights while women are denied them. As long as our society approaches so many legal issues as a question of individual rights (rather than broader notions of community interest) and is generally committed to the public/private distinction, abortion should not be isolated and treated differently. Women might be better off without a privacy doctrine, but they would seem to be clearly worse off with a privacy doctrine applied in such a sexually discriminatory manner. If men are said to have certain rights or immunities because of the private or intimate nature of an activity, the denial of similar rights and immunities to women has a significantly negative impact and social meaning. Thus, "privacy" doctrine should be extended to women, even as we pursue efforts to dismantle the false dichotomies underlying it.

The main alternative route for granting constitutional protection for abortion rights would be through an equal protection analysis. Such an analysis highlights the relationship between abortion restrictions and resistance to the movement for women's equality, and it resonates with the common perception that disputes about gender roles and the appropriate role and status of women lie at the heart of the abortion controversy.

There is growing interest in an equal protection analysis of abortion. In the years since *Roe v. Wade*, the Supreme Court has shown an increasing awareness that the abortion debate has a "gender dimension." That is, while not yet recognizing the full significance that the social and economic inequality between men and women has for abortion law, the Court has begun to acknowledge that abortion law has something to do with the role and status of women. For example, recent cases suggest that the "promise that a certain private sphere of individual liberty will be kept largely beyond the reach of government . . . *extends to women as well as to men.*"[12] Again, perhaps with gender in mind, the Court referred to "the sphere of liberty that our law guarantees *equally* to all." Justice Blackmun, dissenting from *Webster* and expressing his fears for the future, wrote of his fears "for the liberty *and equality* of . . . women."[13] Even Chief Justice Rehnquist recognized that restrictive abortion laws have something to do with women's relative lack of power, when he suggested in *Webster* that in a nation where "more than half [the] population is women" there is little risk that state legislators will "enact abortion regulation[s] reminiscent of the dark ages."[14]

Justice Rehnquist has never seemed to recongize that in a nation where until recently 100 percent and today more than 88 percent of the sitting Justices of the Supreme Court are men, there is a serious risk that the Court will develop equal protection doctrine that protects women less effectively than it protects men. Commentators have struggled to get beyond the simple analysis that restrictions on abortion cannot violate the Equal Protection Clause of the Fourteenth Amendment[15] because they treat women no differently than "similarly-situated" men, because men never become pregnant. Commentators have shown that anti-abortion laws require of women *more* sacrifice for procreation than is required of men, even to protect their own children. They have also criticized anti-abortion laws for preventing

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women from enjoying substantive equality with men. Equal protection could require laws to fit the reality of women, to eliminate the vestiges of discrimination against women, and to value women's lives equally with men's. Sex-equality doctrine could be developed to require an end to the subordination of women. If the Court were to overrule its decision in *Roe v. Wade*, these equal-protection arguments, which have understandably not been fully explored while the courts have invalidated anti-abortion laws on the basis of privacy doctrine, would certainly have to be examined by the Court.

If privacy analysis places abortion in the context of birth control generally, equality analysis should place abortion within the broader context of sexual politics. Anti-abortion laws treat women differently than men and leave women involuntarily pregnant and thus unable to act in the world as freely as men do; but more than that, anti-abortion laws are based upon the subordination of women and broadly reinforce that subordination. It is misleading to consider gender equality the norm in our society and to expect sex-discrimination law to take care of the exceptional situations where women are *still* not treated as equals. Instead one should recognize anti-abortion laws as part of the systematic oppression and devaluation of women.

Anti-abortion rhetoric and policies are anti-woman in a number of regards. The rhetoric's focus on abstract rights and on a characterization of the issue as a conflict between the pregnant woman and the fetus can be considered "masculinist." Treating a fetus as essentially equivalent to a child obscures the active role that mothers play in procreation and is yet another example of society's tendency to devalue the work that women do. Abortion restrictions discount women as moral decision makers and further remove from women power over their bodies, a power that is already quite circumscribed.

It is important to see the ways in which anti-abortion restrictions are a *result* of the devaluation of women, not just a *cause* of women's inequality. The claim that life begins at conception is nonsense, but it is nonsense with a particular gender bias. Most people recognize that an egg and sperm do not just become a baby without something else happening—because fertilization is something men can relate to. As a doctor argued in an 1869 lecture to medical students, the relevant time from which protection of new life should date should not be viability or quickening but conception, because "[i]t is [at conception] only [that] the father can, in any way, exert an influence over his offspring."[16] Many who believe that a woman must justify her refusal to allow a fertilized egg to develop into a child would never consider placing any obligation upon men to procreate[17] or to perpetuate the life of any egg or of their own sperm. Women *create* children; children do not just happen. To think a zygote is a baby is to devalue women's work.

Many object to flag-burning in part because they say that people have risked their lives and died for the flag. Of course, what they mean is that the flag symbolizes values that people have considered important enough to risk their lives for, and the rest of us should respect the fact that something is so important to some people. Women have for years considered reproductive freedom important enough to risk their lives for. Untold numbers of women have died in illegal abortions. We do not gratuitously force people to die for the flag, and we should not gratuitously force people to die for reproductive choice.

Perhaps the most outrageous effect of the anti-abortion movement is that it puts women into the position of having to fight for something they need rather than want. As an analogy, suppose some religious group decided that sleeping under bridges and begging were immoral. The poor and their supporters might find themselves having to fight for the right to sleep under bridges and beg in the streets. These efforts would divert meager resources from dealing with the real problems, contribute to misery and degradation, and likely increase homelessness. The anti-abortion movement has forced a similar diversion of resources and has interfered with serious efforts to prevent unwanted pregnancies.

The abortion debate keeps women off balance. Women should be free to struggle

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against the unreasonable conditions that make unwanted pregnancy so common an occurrence. By putting women on the defensive regarding their sexuality, anti-abortionists make it more difficult for women to respond effectively to the ways in which their sexual expression is limited and in which they are sexually exploited by men. By threatening criminalization of a common and all too necessary practice, anti-abortion pressure denies women the leeway to express the ambivalence and grief they sometimes feel regarding their choices.[18]

The content that the Supreme Court gives to equality is a political question that cannot be intelligently treated as a kind of puzzle to be solved by some clever theorist. Rather, the constitutional meaning of equality is something that is created through the process of political struggle. Only through such struggle will either legislators or judges recognize the extent to which restrictions on abortion implicate the role and status of women.

The hundred and fifty years of abortion restriction may be the most sustained attempt to control women since the three hundred years of witchcraft trials. During the time that Western culture was hanging "witches" there was a public debate about the biblical basis for a belief in witches, and over time this debate may have seemed as strident as people say the abortion debate has become. The debate about witches may have seemed to some to be deadlocked—with sincere people on both sides of it. Perhaps we would still be hanging and burning women today if the opponents of the witch trials had wasted their time searching for "middle ground." Instead, they just continued and intensified their struggle, and finally they won so decisively that today witch-burning seems wrongheaded and barbaric. The arguments on both sides did not change over the centuries "witches" were being burned or up until the time witch-burning finally stopped. Those in favor of witch-hunting did not change their minds, but the rest of society finally stopped catering to their misogyny. I do not think the arguments about abortion are likely to change much more than the arguments about witches did; I just hope the day comes soon when women are respected enough so that all people recognize how brutal and barbaric it is to force anyone to continue an unwanted pregnancy. □

Notes

[1] "[T]he act of forbidding abortion is itself brutal and dehumanizing. In opposing abortion, one cooperates with the devaluation of women's lives and paves the way for further devaluation of life. Rather than prudently preserving from the devil even a little finger, these people have already given the devil an arm and a leg." Frances Olsen, "The Supreme Court, 1988 Term—Comment: Unraveling Compromise" 103 *Harvard Law Review* 105, 132 (1990). Portions of this essay are drawn from this earlier work.

[2] For instance, Lawrence Tribe, *Abortion: The Clash of Absolutes*, New York: Norton (1990); Ronald Dworkin, "The Sanctity of Life," The Holmes Lecture, Harvard Law School, September 24, 1990.

[3] Ronald Dworkin, "The Great Abortion Case," 36 *New York Review of Books*, June 29, 1989, at 49, 51.

[4] Ibid.

[5] Frances Olsen, "Statutory Rape: A Feminist Critique of Rights Analysis," 63 *Texas Law Review* 387, 388 (1984).

[6] In the original *Roe v. Wade* case, a husband and wife tried to be plaintiffs on the basis that pregnancy had been determined to be medically inadvisable, as was birth control, and that their "marital happiness" was inhibited by the law forbidding abortion. The Supreme Court denied them standing on the basis that unless and until the wife actually became pregnant, the couple did not suffer harm or have sufficient interest in the lawsuit. Unless the Justices would consider it reasonable for the wife to give up her sex life, one must suppose the Court glibly assumed the couple would continue to have sexual intercourse. This denial of standing reinforced the focus on pregnant women wishing to engage in a single act of abortion, rather than seeing abortion as a sometimes necessary part of a woman's control of reproduction.

[7] Consider also a woman who is in no position (physically, socially, emotionally, or economically) to have a child, and has a choice between practicing a form of birth control that poses relatively serious long-term health risks to her but is less likely to fail or one that is considerably safer but has a higher failure rate. The abortion question then becomes whether there is a societal interest in forcing or coercing the woman to choose the more dangerous method of birth control rather than a physically safer form, with early abortion as a back-up option should the safer birth control fail. Alternatively, shall the law force her to abstinence, perhaps damaging or destroying her marriage?

[8] Catharine A. MacKinnon, *Feminism Unmodified* (Cambridge, Harvard University Press, 1987). MacKinnon argues that "the legal concept of privacy can and has

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shielded the place of battery, marital rape, and women's exploited labor; has preserved the central institutions whereby women are *deprived* of identity, autonomy, control and self-definition," id. at 101, the very traits supposedly protected by the right to privacy.

[9] Olsen, *Statutory Rape*, p. 388.

[10] See Frances Olsen, "The Family and the Market: A Study of Ideology and Legal Reform," 96 *Harvard Law Review* 1495 (1983); Frances Olsen, "The Myth of State Intervention in the Family," 18 *University of Michigan Journal of Law Reform,* pp. 835, 842-44, 862 n. 73 (1985).

[11] E.g., MacKinnon, supra; Lawrence Tribe, "The Abortion Funding Conundrum: Inalienable Rights, Affirmative Duties, and the Dilemma of Dependence," 99 *Harvard Law Review*, pp. 330, 338 (1985).

[12] *Thornburgh v. American Coll. of Obstetricians and Gynecologists,* 476 U.S. 747 (emphasis added) (Blackmun, J., majority opinion).

[13] 109 S. Ct. at 3067 (Blackmun, J. dissenting) (emphasis added).

[14] Unless by "dark ages" Rehnquist means the century before *Roe v. Wade*, his statement is bad history. Abortions were of little or no legal concern in the Middle Ages. See Frances and Joseph Gies, *Marriage and Family in the Middle Ages*, p. 304 (1987); Jacques Rossiaud, *Medieval Prostitution,* p. 125 (1988); Shulamith Shahar, *The Fourth Estate: A History of Women in the Middle Ages,* p. 124 (1983). In fact, David Hurlihy reports on an abortion performed in Medieval Ireland by a saint upon a woman whom a petty king had abducted from a convent, married, and impregnated. Saint Kieran recovered the woman and when she informed him of her pregnancy, "'the man of God, prompted by zeal for her justice, not wishing that the seed of vipers should quicken, making the sign of the cross on her womb, caused it to empty.' " Salamanca Codex, quoted in David Hurlihy, *Medieval Households*, pp. 31-32 (1985).

[15] See, e.g., Hirshman, "Brontë, Bloom, and Bork: An Essay on the Moral Education of Judges," 137 *University of Pennsylvania Law Review* 177 (1988); Honnold, "Hirshman, Brontë, and Hawthorne on Law, Abortion, and Society," 137 *University of Pennsylvania Law Review* 1247, 1248 (1989); Lawrence Tribe, "The Abortion Funding Conundrum: Inalienable Rights, Affirmative Duties, and the Dilemma of Dependence," 99 *Harvard Law Review* 330, 335-36 (1985); Ruth Bader Ginsburg, "Some Thoughts on Autonomy and Equality in Relation to *Roe v. Wade*," 63 *North Carolina Law Review* 375, 382-86 (1985); Sylvia Law, "Rethinking Sex and the Constitution," 132 *University of Pennsylvania Law Review* 955 (1984); Donald Regan, "Rewriting *Roe v. Wade*," 77 *Michigan Law Review* 1569 (1979); Kenneth Karst, "The Supreme Court, 1976 Term—Foreword: Equal Citizenship Under the Fourteenth Amendment," 91 *Harvard Law Review* 1, 57-59 (1977).

[16] Hodge, "Foeticide, Or Criminal Abortion" in *Abortion in Nineteenth Century America*, ed. C. Rosenberg and C. Smith-Rosenberg, pp. 9, 23 (1974).

[17] See David Daube, *The Obligation to Procreate* (Edinburgh University Press).

[18] Cf. Beverly Harrison, *Our Right to Choose: Toward a New Ethic of Abortion* (Beacon Press, 1983), p. 15.

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Susan Moller Okin

ECONOMIC EQUALITY AFTER DIVORCE

"Equal Rights" or Special Benefits?

Family law has become highly controversial in the last two decades. Child custody, child and spouse abuse, and surrogate motherhood are the issues most likely to capture the attention of the media. But these are not the only troubling issues. The differences in economic impact of divorce upon men, women, and children have also become increasingly visible.

By the late 1980s half of all single parents in the United States lived below the poverty line, and 70 percent of these poor families were headed by divorced or separated women. The feminization of poverty has proceeded at such a pace that, if present trends continue, all of those below the poverty line in the year 2000 will be women and children. Even for many who are not poor by official standards, the sudden drop in standard of living that often follows separation or divorce is extremely disruptive. Family homes are often ordered sold upon divorce, so that there can be an immediate division of the couple's assets. Not only wives but children too are subjected to undue physical and economic dislocation, at the very time they are likely to be psychologically vulnerable. Ex-wives with few recognized skills and little experience of wage work are unrealistically expected to be able to support themselves and their children within a few years. And what is often the family's most valuable asset—the man's future earning power—is entirely ignored when the "family property" is divided up. Divorce, because it disrupts the lives of women and children, can have shock effects lasting for the rest of their lives.

This problem has raised controversy among feminists, as well as between feminists and nonfeminists. Some claim that in order for divorce settlements to be fair, and to save divorcing women and their children from poverty, women need special treatment, not just equal rights. Treating divorcing women just the same as men, they claim, is not a solution; rather, it is a large part of the problem. Because of women's special capacities and their customary role as mothers, such critics of current law argue, alimony for women is justified—as is maternal preference in custody disputes.

Others, arguing for equal treatment, claim that such laws reaffirm the very roles and assumptions that have caused so many problems for women in the first place. The law should be sex blind. Later I will argue that, on this issue, equal treatment is not a problem. Women's difficulties after divorce can be greatly alleviated without laws that are gender-specific or protective of women only. What is needed are laws that protect those of either sex who have forgone economic advancement because they have been wholly or primarily responsible for the unpaid work of their families. The (rare) male homemaker or the highly involved father who scales back his work because of nurturing responsibilities

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deserves the same fair treatment as the women who, far more often, undertake these roles.

Part of the controversy about the economic aftermath of divorce concerns facts and causes. Part is about solutions. These latter disagreements are both about the likely effectiveness of changes in the laws themselves or in the ways they are applied, and also about what is fair in the economic outcomes of divorce.

Has the economic situation of women and children substantially deteriorated since the enactment of no-fault divorce, now at least an option in all fifty states? If so, is there a causal connection between no-fault divorce and any deterioration that has occurred? Might further reform of the divorce laws alleviate the problem of maternal and child impoverishment in the United States? What is the problem—the laws themselves, the ways they are applied in the courts, or the larger socioeconomic inequality of women and those who depend on them? Harvard sociologist Lenore Weitzman, in her influential book *The Divorce Revolution* (New York: The Free Press, 1985), answered "yes" to the first three questions and "all three" to the last one.

Weitzman argues that, with no-fault divorce, women lost the considerable bargaining power they often had either as the "innocent" or the more reluctant party in fault-based divorces. Having lost their power to prevent or delay an unwanted divorce by holding out for economic equity, they are now less frequently being awarded the family home and are unlikely to be awarded more than short-term alimony, if any. And since in 90 percent of divorces, children live with their mothers, one can see why, as Weitzman puts it, "for most women and children, divorce means precipitous downward mobility—both economically and socially." Weitzman's most striking finding is that, in the year after divorce, the standard of living of the ex-wife's household (adjusted for need) falls by 73 percent, whereas that of the ex-husband rises by 42 percent.

Critics have charged that Weitzman overgeneralizes from California, an atypical state; that she focuses too much on the minority of divorces in which there is a home owned and in which spousal support is awarded; and that the disparity in standards of living she finds is not borne out by her own data and is far greater than that found in other studies. They also argue that because, in many states, the shift to no-fault coincides with other changes in divorce laws—those having to do with the distribution of property and alimony—it is almost impossible to isolate the effects of no-fault. However, later studies, both in other states—Vermont and Connecticut, for example—and of national samples, have also found large disparities in economic well-being between men and women after divorce. And they confirm that under no-fault regimes these disparities have at least somewhat increased.

Some of Weitzman's critics seem far removed from the actualities of contemporary family life. One study* assumes that a household consisting of one parent and two small children will require less income to achieve a given standard of living than a household with two parents and two small children. But, in making this assumption, the study pays no attention to how the children are cared for while the income is earned! This is a clear case of the simultaneous assumption and neglect of "women's work" that is prevalent in many branches of scholarship. For the two-parent family, unlike the one-parent, has the option of allowing one parent to stay home with the children "for free" while the other goes out to paid work, or of having each work different shifts or part-time, thereby saving considerable child-care expenses. Anyone who has ever paid for child care of reasonable quality in order to earn an income (at the very least, $5,000 per child per year in a regulated setting) will immediately perceive this oversight in the study. Those surprised by or skeptical of Weitzman's findings would do well not to "forget" women's unpaid work, and to keep in mind the extent to which the traditional division of labor still prevails in most marriages. Weitzman's findings are far less surprising than is the fact that people have been so surprised by them.

* Saul D. Hoffman and Greg Duncan, "What *Are* the Economic Consequences of Divorce?" *Demography* 25:4, November 1988.

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Regardless of the disagreements about the extent and causes of divergent standards of living after divorce, there is little doubt that, on average, men fare significantly better than do both women and the almost 90 percent of children who are, usually by mutual consent, in the mothers' custody. The situation has become even worse in the last two decades. Sometimes the blame is laid on feminists and their drive for equal rights. It is said they spearheaded the no-fault "revolution" and argued for the equal, gender-blind treatment of divorce that has allegedly caused the problems. But such charges distort history. As the authors of several chapters in Stephen Sugarman's new volume, *Divorce Reform at the Crossroads* (New Haven: Yale University Press, 1990), make clear, it was not feminists who initiated or fought for no-fault divorce. Neither did they claim that it would improve women's post-divorce situations. No-fault divorce, rather, was promoted primarily by law reformers who wanted to eradicate the fraud and hypocrisy often present in fault-based divorce and by advocates for men who considered themselves abused by unfair awards of alimony. As Deborah Rhode and Martha Minow point out: "In part, the absence of women's concerns from the debate reflected the absence of women." So it is ironic that the worsened situation of women after divorce should now be blamed on feminists.

What is happening to women and children after divorce is clearly unfair. But what would be fair, and how might it be achieved? Change must begin with the recognition that *future earning power* is the principal asset of most marriages. Fewer than 50 percent of divorcing couples have any tangible assets at all, once debt is taken into account. Moreover, in Weitzman's sample of divorces, the average assets were worth what the husband earned in ten months. Given this, the solution aimed at by much divorce reform so far—a "clean break" as soon as possible after division of the family's tangible assets—is simply inconsistent with fairness. Future earning power, as a crucial asset of a marriage, must be fairly distributed in the event of divorce. Because of the typical division of labor in the family, the husband has usually developed his earning capacity to a far greater extent than the wife. But divorce settlements all too seldom take account of this central disparity. Weitzman reports the responses of forty-four California judges to the following hypothetical case: A nurse, married at eighteen, and her doctor husband are divorcing, eleven years later. She supported them for ten of these years, while he finished college and his medical training. They have few material assets and no children, but at the time of the divorce the doctor is earning a substantial income. The nurse now wants to go to medical school. The judges were asked whether they thought it was fair to require her former husband to support her while she did so. Only 31 percent said they would require such support. The great majority maintained that it would be unfair to thus encumber him, since she was capable of supporting herself.

What explains this approval of such blatant injustice? In part, women's increased participation in the paid labor force has encouraged the assumption that they can adequately provide for themselves and their families. It is often claimed that they therefore need not receive spousal support, regardless of the division of labor within a marriage. This belief is ill-founded in most cases, and especially when a couple has had children. Despite the considerable increases in women's wage labor, fewer than 30 percent of wives work full-time outside the home, and the average wife who works for pay (full- or part-time) earns 42 percent as much as the average full-time working husband. This is partly due to a sex-segregated labor market that discriminates against women, but it is also directly tied to the typical marital division of responsibilities. Women's greater domestic contribution has been estimated to account for 70 percent of the earnings differential between husbands and wives.

Few husbands substantially alter their wage working hours after the birth of a child, whereas wives' employment or education is in the vast majority of cases greatly affected. Few husbands, but many wives, choose occupations or jobs on the basis of location or flexibility of hours, in order to accommodate the needs of children. Few husbands are willing to move so

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that their wives can pursue new work opportunities, whereas wives do this routinely. (In some states, until recently, they could be divorced on the grounds of desertion if they did not!) As well as providing support while he trains for a more prestigious career, as in the above case, a wife often contributes even more directly to her husband's work. Sometimes she works without pay for his business or practice, or contributes to his commercial networks or his scholarly or creative achievements. This is seldom publicly acknowledged, except sometimes in the prefaces of books.

Partly in acknowledgement of the ways in which wives contribute to the career advancement of their husbands, the courts in some states have recently begun to treat professional degrees and qualifications as marital property. Where one spouse has significantly helped the other to achieve such qualifications, in the expectation that the resulting income would be shared by the family as a whole, it seems only reasonable for courts to insist that, in the event of divorce, the contributing spouse be adequately compensated. How this should best be done is likely to depend on the circumstances. In some cases, what will most benefit the relatively untrained spouse is to be supported through an equivalent training. Where this is inappropriate or not desired, it seems fair that such past contribution be taken into account in determining spousal support.

Some commentators have expressed concern that treating education and training as marital assets may hurt many divorcing *women* who have completed their education or retrained after raising children, and will then be perceived as being indebted to their husbands. Given the division of labor in most marriages, this would be unjust. The most recent research suggests that even when wives are full-time wage workers or students, they continue to perform most of the family's housekeeping and nurturing tasks. It would scarcely be fair for a wife who had trained as a teacher after raising her children, and had meanwhile continued to assume most of the household responsibilities, to owe her higher-earning husband for her training, should they divorce. Career assets should be perceived as marital assets only, it seems, when the non-training partner can show that his or her potential for work advancement has been sacrificed in contributing to that training.

One problem with the focus on degrees and professional qualifications is that it can benefit only a minority of ex-wives and children—and not necessarily those most badly affected economically by divorce. The larger issue, cutting across class lines, concerns not just professional training but future earning potential and employment benefits in general. About this moral issue of what is a fair distribution of income after marital breakup, there is also disagreement. As the doctor and nurse case demonstrates, many of those who exert considerable power over the outcome of divorce think that each ex-spouse should become self-sufficient as soon as possible, leaving the other unencumbered by long-term financial responsibilities. But is this fair? Surely not. Marriage involves a commitment to the collective well-being, and given our gendered patterns of socialization, it is hardly surprising that many couples still choose to divide up the earning and nurturing responsibilities of a family unevenly. Even within a marriage, though, this does not dictate that the nurturing spouse must be economically dependent on the wage-earning spouse. I have recently argued in *Justice, Gender, and the Family* (New York: Basic Books, 1990), that such dependence should be minimized by legally mandated sharing of the earner's paycheck. It is far more harmful, though, in the event of divorce, for the spouse who has had (usually) his earning power at worst unaffected and in most cases enhanced by the marriage to be allowed to walk away with this enhanced capacity. Arrangements after divorce should aim to equalize the standards of living of both postdivorce households.

How long should such equalization continue? That depends on the length as well as the practices of the marriage. It should certainly last as long as children are dependent and until the previously dependent spouse is educated or trained to support her- or himself. In the case of long-term marriages, it should continue permanently. Most displaced homemakers aged

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forty-five or more have very little chance of earning more than a small fraction of what their ex-spouses can earn. While placing considerably more demands on some divorcing men than is now customary, such arrangements seem eminently fair. There can be no good reason that one should suffer vastly more economically than the other from the breakup of a relationship whose uneven division of labor was mutually agreed on. From now on, those who wish to avoid or at least minimize such possible future responsibilities can do so by practicing a division of labor within marriage in which each shares equally in wage work and nurturing work.

The legal and policy changes I have suggested here can all be achieved within the equal rights framework. They do not require special rights for women, even though in the vast majority of cases women would be those who benefit from them. Laws written in these terms would be fair in two senses: they would protect from economic vulnerability those who now actually need such protection (almost all women), and they would not discriminate against or leave unprotected those men who do now or wish to break with the prevalent sex roles.

To what extent can changes in divorce law help to alleviate the economic distress experienced by so many women and children after divorce? Most students of the problem agree that changes in family law alone cannot completely solve it. The education of family court judges will have to play a major role. And one of the biggest remaining problems is that of enforcement. The 1984 Child Support Amendments and 1988 Family Support Act require the states to enforce spousal and child support laws more stringently. Automatic withholding from paychecks has helped to some extent, but levels of nonpayment are still intolerably high. More than half of divorced men fail to meet the (inadequate) payments asked of them. And, except in Wisconsin, states have failed to address the problem of family support when the earnings of both ex-spouses are inadequate to keep the two resulting households out of poverty. Some argue that a social insurance scheme akin to Social Security should be available to supplement income after divorce when the parties are not making enough to provide adequately for both postdivorce households.

It is probably true that the economic effects of divorce cannot be wholly alleviated without a complete solution to women's generally disadvantaged position in the economy. This will come about only if and when we radically revalue the presently unpaid domestic contributions of women. It will come about only if and when we insist that workplaces take into account real-life concerns, such as parenting and the care of elderly parents. For now, however, reforming the terms of divorce and insisting on their enforcement are good places to begin. This action might also eventually result in the reallocation of responsibilities within marriage. □

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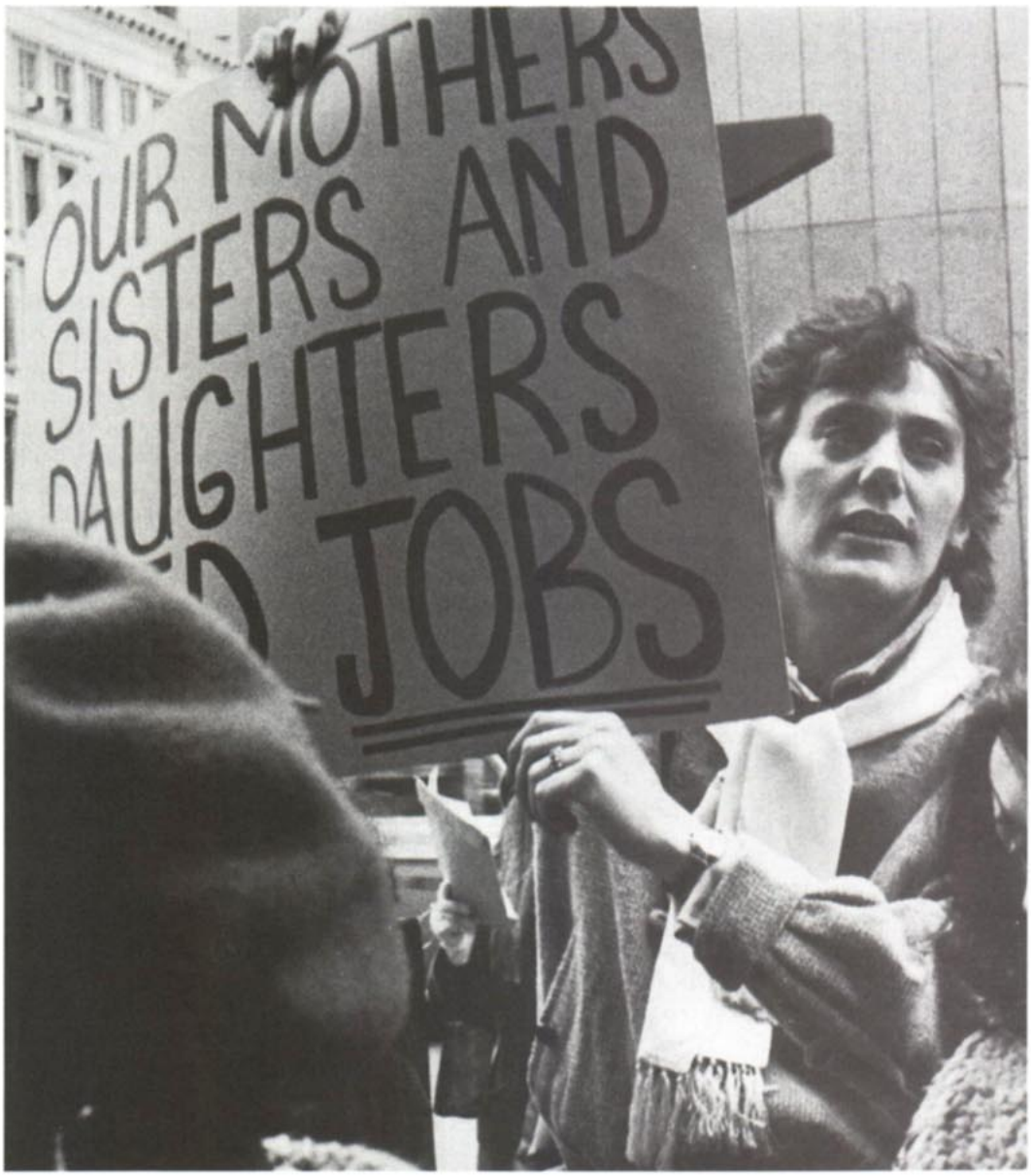

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Wendy Kaminer

ON THE DEVALUATION OF RIGHTS

A Critique Within Feminism

Justice William Brennan's retirement from the Supreme Court was "exciting news" for Beverly LaHaye, president of Concerned Women for America, an organization boasting a God-given mandate to protect American families from feminists and other "liberal humanists." Chief among Brennan's sins, according to LaHaye, were support for legalized abortion, the First Amendment, and sexual equality.

Still, if a friend to feminism, Brennan was hardly a hero to all feminists; among feminists, his tenacious respect for individual rights is falling out of favor. Privacy rights, in which the Court has grounded women's abortion rights, are anathema to those feminists who want to dismantle traditional divisions between the public and private spheres because they effectively condone family violence. (The preferred feminist argument for abortion rights is based on the Fourteenth Amendment guarantee of equal protection.) To some feminists, privacy rights, like First Amendment rights that shield pornographers, are mere instruments of patriarchy: they are said to reflect a masculine obsession with property and the individual accumulation of power.

Women are more concerned with feelings than with rights, Carol Gilligan suggested nearly ten years ago. Or, as Phyllis Schlafly once declared, men are "analytical minded" and women "more personal." Instead of rights, conventional antifeminist wisdom holds, women have a natural moral claim to male protection. Instead of rights, the new feminist champions of femininity assert, women need and seek connectedness: women need laws affirming the primacy of their maternal roles, their natural sexual vulnerability, and the special value of their different voice.

Retreating from equality and questioning the idea of rights, feminists in the 1980s began demanding special protections for women—special preferences for mothers in child-custody disputes, a return to traditional alimony laws, special benefits for wage-earning mothers, and the censorship of pornography. (Sometimes protectionism confers privileges on women; sometimes it restricts men's rights.) Only women get pregnant (and almost only women get raped), opponents of equality intone; so they demand laws that treat the sexes differently, as if the mere possibility of becoming pregnant makes women uniformly more compassionate, nurturing, sexually submissive, and interested in family life than men, whose inability to bear children is presumed to make them more ambitious, analytic, sexually aggressive, and emotionally dull.

Traditional notions of gender difference have always been at odds with women's rights, as the first generation of contemporary feminists, demanding equality, made clear. Assumptions of difference justified—even glorified—double standards of sexual behavior, traditional divisions of labor within the home and workplace, and the male monopoly on wealth and political power. Mainstream contemporary feminism began with radical visions of gender-neutral laws, stressing what men and women shared—the capacity to reason and the right to determine their own destinies—instead of how they differed biologically.

But progress toward equality has been slow.

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Equal-opportunity laws do not always provide equal access, much less equal results, and new rights for women have not been accompanied by much-needed social services—day care, health care, support for battered women, training for women who enter the job market late in life or with severe educational disadvantages. Without support services or a federal commitment to affirmative action and to the enforcement of civil rights laws, equality remained elusive throughout the 1980s. Despite dramatic gains in infiltrating male strongholds—law, medicine, business, even police work—women were still plagued by occupational segregation, the wage gap, poverty, sexual violence, and the struggle to combine wage earning and child care.

These persistent inequities can be blamed on politics or nature; either people are collectively unwilling or collectively unable to change. In the 1960s and 1970s feminists generally blamed politics or culture and gender stereotypes for institutionalized gender inequities, and this emphasis strengthened the drive for equality. Stressing politics, egalitarian feminism has always reflected a belief in the possibility of change.

In the 1980s feminists began losing that belief; they lost courage or hope and began blaming nature, or, at times, blaming earlier equal rights feminists for challenging nature and the maternal ideal. The slow pace of change convinced some feminists that biology might be destiny after all.

The second generation of contemporary feminists is leaning back toward separatism, advocating separatist workplace policies such as mommy tracking and educational reforms such as new gynocentric curricula. Feminists today are embracing an old belief in gender difference and turning away from equal rights, arguing that the concept of rights is inherently masculine.

This feminist rejection of rights is partly cowardice. Having lost the Equal Rights Amendment and whatever public support they gained in the 1970s, feminists seem afraid to challenge mainstream ideals of femininity and family life. But, the new protectionist feminism also reflects justifiable if confused concern about women's welfare and the failure of legal rights to ensure social justice.

In recent years feminists and advocates of minority rights have been confronted with the irony of the extension of rights to people who can't take advantage of them: abortion rights are academic to poor women when public funding for abortions is denied. Equal employment rights are irrelevant to illiterate teenagers who have not enjoyed access to decent public schools.

Perhaps this proves that rights will not lead us to justice. Perhaps it proves we need more rights still. Social inequities are not just arguments for social services but for the underlying recognition of economic needs as rights, a point made and lost by the welfare rights movement some twenty years ago before a Supreme Court that was considerably more liberal than today's. As the gap between legal equality and social inequality increases, women looking around for something to blame find feminism.

If indeed the natural order is inequality, then feminist hubris may be faulted for disrupting it and placing women at risk. Divorce law reform, for example, based on a feminist ideal of marriage as a voluntary union of equals, is said to have been bad for women who are not, in fact, the economic equals of their husbands. So equal-rights feminists are blamed for the problems of displaced homemakers, which is a little like blaming advocates of fair-housing laws for white flight from neighborhoods in which houses are sold to blacks or for the crosses that burn on their lawns.

Displaced homemakers might blame the dual labor market for their plight. They might blame a culture that encourages women to sacrifice their careers to their husbands and values middle-aged men more than middle-aged women. They might blame judges who deny women the postdivorce support to which they are legally entitled. Generally, the new divorce laws give judges the discretion to award long-term maintenance or generous property settlements to women (or men) who have been long-term homemakers.

In fact, the gap between legal equality and

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social inequality is a central concern for equal-rights feminists too. How should laws treat women who are still only *potentially* equal? Feminists on both sides of the debate about gender difference, protections, and rights can generally agree that justice sometimes requires treating differently situated people differently: A woman who has suffered discrimination early on in her career may have a right to be evaluated by special standards when decisions about promotion are made.

Still, the suggestion that legal rights should be shaped partly by historical realities (an argument for affirmative action) doesn't end the debate about protections and rights for women. Even feminists who agree that men and women are not essentially different in character but also agree that the circumstances of women's lives may sometimes mandate their differential treatment disagree about precisely what circumstantial differences are relevant to the allocation of rights. They also disagree about how rights should be allocated—to women as a class or in a gender-neutral fashion to individuals who are similarly situated.

When is the fact that only women get pregnant relevant in the workplace? To suggest, as some egalitarian feminists do, that disability policies should be gender neutral, that women disabled by pregnancy should receive equal but not extra benefits, is not to ignore the uniqueness of pregnancy and its effect on women's lives. It simply means that men and women workers disabled for different reasons should receive comparable benefits, just as some men and women in different jobs ought to receive comparable pay. Of course, only women get pregnant. But not all women get pregnant. Not all women are temporarily disabled by pregnancy, and not only women suffer from a range of temporary disabilities. It shouldn't matter for purposes of a disability plan whether a worker is disabled by pregnancy or a bad back. What matters are not the unique causes of disabilities but their common effects—temporary inability to work and increased medical expenses.

Nor should sex matter in a child custody dispute or to the extension of child-care benefits. What matters is the division of labor within the home. (Not only women can care for children.) Women who take primary responsibility for child care probably should enjoy a presumptive advantage in custody disputes but so should the minority of men who stay home. Parental instead of maternal leave policies allow men to participate more fully in family life and women to pursue careers, without denying couples the opportunity to play traditional roles if they choose.

This egalitarian demand for gender-neutral laws does not denigrate what are commonly considered natural feminine values, as protectionist feminists charge; it does resist the attempt to feminize what ought to be considered human values and human rights. Equality and respect for choice generally require that laws focus on characteristics other than sex when they parcel out rights. Surely history has taught women that much.

The first women's rights movement began in the mid-1800s protesting the male monopoly on rights. But it too was torn by debates about rights, protections, and femininity. (In the 1920s feminist supporters of labor laws opposed the ERA.) Until some twenty-five years ago, laws continued to oppress women by making presumptions about them based on a maternal ideal, instead of treating them as individuals. Women were presumed to be homemakers and men breadwinners, so a range of state and federal laws extended greater rights, responsibilities, and benefits to men: male wage earners received greater Social Security benefits because it was assumed that men were supporting their families while women worked for fun or pin money. This conventional wisdom was generally legal until the early 1970s when, in a victory for the equal-rights movement, the Supreme Court recognized that wage-earner/homemaker laws were discriminatory and ought to be prohibited under the Fourteenth Amendment.

So sex discrimination is a relatively new concept for the Supreme Court, one that the justices haven't fully embraced—which is another reason the equal-rights movement stalled. The Court has failed to fashion a gender-neutral approach to equality that accommodates pregnancy (in the 1970s it upheld the

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exclusion of pregnancy-related disabilities from employee disability plans, thereby allowing less than equal treatment of women workers). It has refused to recognize that abortion rights are essential to achieving sexual equality. And it has refused to grant women the same equality rights it grants racial minorities.

The Court often has trouble locating discrimination in laws allocating different rights or liabilities to men and women in cases involving sex and children. It has, for example, upheld statutory rape laws applying only to men and limited the parental rights of unwed fathers, assuming that their reproductive roles make women sexually submissive and superior parents. But male sexual aggressiveness and a tendency to exploit women as well as widespread paternal neglect aren't simply biologically compelled; they reflect cultural conditioning too. The Court can't see discrimination in laws making only men liable for statutory rape or limiting fathers' rights because it can't see the difference in these cases between biology and culture.

Of course, defining that difference and its relevance to law has always been the challenge for feminists. Reasonable people will disagree on the extent to which traditional familial roles or male sexual aggressiveness and violence are natural or the results of socialization, which is why a sameness/difference debate is polarizing the feminist community today. Among scholars that debate is a sophisticated cottage industry. Periodically a feminist scholar devises a new theory promising to take us beyond sameness or beyond difference and beyond rights to some new, unspecified way of distributing power. But the subtleties of much feminist scholarship are lost in public-policy discussions. And although strategies for achieving equality may involve convoluted compromises—affirmative action or special workplace benefits that provide short-term relief to women until comparable benefits may be extended to men—the ideological question facing women is simple: is biology destiny, are women defined by motherhood, or not? Should law treat women as variable individuals, with equal rights, or as members of a class defined by its capacity to care, nurture, and breed?

Protectionism has always been essentially pronatalist and antichoice. It also has a historic connection to racism, incorporating white, middle-class standards of femininity that black women were considered naturally incapable of meeting. Turn-of-the-century labor laws limiting women's hours of work or denying them manual labor jobs reflected a belief in white women's natural physical weakness and their responsibility to bear and care for children. (Fields in which black women were clustered—agriculture and domestic service—were not generally covered by protective laws.) The labor laws did make life easier for some women, at the expense of maintaining a dual labor market and reinforcing traditional familial roles. Protective family laws, making only men liable for alimony or giving women preferences in custody disputes, helped preserve the patriarchal family. Protective criminal laws distorted the prosecution of rape cases, protecting only "good" women—chaste, passive, white women—from sexual assaults. Protective laws regulating speech and sexual behavior, championed by nineteenth-century social purists and antipornography activists today, inevitably restrict access to sex education and birth control.

Protectionism is a seamless web for women, and that's what makes it so dangerous. It reflects an ideology of gender difference that has shaped labor laws, family laws, criminal laws, and laws limiting First Amendment rights and reproductive behavior that keep women in place. When protectionists demand special benefits for women instead of equal rights, they justify the imposition of special restrictions on them, like maximum hour laws or fetal protection policies, and establish a basis for state control of procreation.

The frequently overlooked connection between protective laws for women and abortion prohibitions dates back to the Supreme Court decision in *Muller v. Oregon,* the landmark 1911 case that upheld special labor laws for women. Hailed as a great victory by Progressives and feminist reformers, this case provided a constitutional rationale for sex discrimination and restriction of reproductive choice.

In *Muller* the Court upheld an Oregon law

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limiting women's hours of work, despite the fact that only three years earlier it had struck down a New York law limiting men's hours of work on the grounds that it interfered with men's freedom of contract. The Court held that because women get pregnant they were said to be weaker than men and less able to endure long work days.

The Court went on to provide a basis for what are now known as fetal endangerment cases (prosecutions of pregnant women for endangering the fetus): the production of healthy children depends on the existence of healthy mothers; protective labor laws were not only good for women, they were good for the future of "the race." (The Court was concerned, of course, with the white race; *Muller* was decided during the eugenics movement.) This suggests that the state not only has the option but the obligation to regulate women's behavior during or even before pregnancy, in the interests of future generations. When it upheld protective labor laws in *Muller,* the Supreme Court upheld state power to restrict women's freedom of choice in the interests of children yet to be born or even conceived. It is not a great leap from this to *The Handmaid's Tale*.

The popularity of new fetal rights theories and the persistent appeal of abortion prohibitions demonstrate pervasive, emotional opposition to the granting of women's rights and the dismantling of gender roles, as well as the pitfalls of protectionism. Anti-abortion activists exploit this when they characterize abortion as selfish. Women who demand their rights have always been called selfish, which is partly why nineteenth-century feminists demanded the vote not as a matter of right but as a means of achieving "womanly reforms."

There are echoes of this today when a woman politician reminds voters that a woman in office will be more compassionate, better at delivering social services and cleaning up the environment (women are, after all, natural housekeepers), more cooperative, and less confrontational than men.

The charge of selfishness resonates, and women run from it and from the goal of equal rights. There are echoes of it too in the communitarian critique of feminism, the association of feminism with narcissism and a "selfish" emphasis on the individual over the family. Imagine a woman defining herself as an independent person and not just, not first, as a member of her family. The authors of *Habits of the Heart* worry about this, warning that sexual equality "could lead to a complete loss of the human qualities long associated with 'women's sphere.' "

Which human qualities, feminists might ask: the qualities of self-sacrifice and self-abnegation? Or they might point out that human qualities can hardly be, ought not to be, confined to women's sphere. Presumably some men, like the ones who helped write *Habits of the Heart,* have human qualities too. Feminists might also ask why the civil rights movement is praised by communitarians as a paradigm of community when, like egalitarian feminism, it was a movement to acquire individual rights. They might remind their communitarian critics that there is such a thing as a feminist community; in fact, without a sense of community among women, there would be no such thing as feminism.

But a statement blaming feminists for eroding human qualities does not invite a reasoned response. Those who speak of feminist selfishness in demanding equal rights and the feminist attack on values have only certain values in mind: the values associated with one-income nuclear families or, at least, a dual labor market and mommy-track jobs; the values of women who always choose childbirth over abortion. Abortion, a powerful act of self-assertion, has become our most powerful symbol of feminist selfishness, which protectionist feminists may find difficult to defend. Women who believe that they are naturally better parents than men have a hard time conceding that some women prefer not to be parents at all.

Support for reproductive choice cannot be reconciled with the traditional ideals of femininity that underlie virtually all protective legislation. Choice suggests that women may naturally be autonomous creatures too, for whom the drive to parent may not always be primary. It also suggests that compassion, empathy, and cooperativeness should not be considered unique to women.

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Feminists who persist in celebrating femininity, demanding protections for women instead of rights, may sabotage the prochoice movement. Prochoice advocates demand reproductive rights, not protections. The prochoice movement begins with an egalitarian image of women as thoughtful, self-reliant individuals and a belief in the primacy of individual rights over familial and community relations. Protectionists, like opponents of abortion rights, begin with an image of the family that preempts women's rights and what Elizabeth Cady Stanton called their "self-sovereignty." For protectionist feminists and antifeminists alike, the ideal woman—nurturing, attuned to the emotional needs of others—is shaped by a commitment to children and family life, which transcends what's dismissed as men's cold concern for rights. She is a vessel of maternal virtue, shaped by faith in the justice of love, rather than a love of justice. □

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Alida Brill

WOMB VERSUS WOMAN

Politics of Accusation & Protection

Every society operates with symbols that impart meanings beyond their image. In America, the flag has become the repository of great emotion, in far greater measure than its simple cloth as a symbol of a country's identity would suggest. For some the flag is not just a symbol of national identity alone but evokes a feeling of patriotism deserving of religious protection. So, also, the notion of motherhood has been imbued in the United States with a symbolic power to define, to elevate, and for some, to consecrate the image of woman as mother.

This idealization of motherhood is paradoxical in a country that has such a high infant mortality rate, provides no national guarantee of parental leave, and has no policy for child care. Yet one cannot doubt that motherhood, like the flag, has become an icon. Artists' images of women with little children have universal appeal, and, of course, the Christian image of the Madonna with the infant Jesus has provided a great precedent for a mythological view of motherhood.

A large part of the anti-abortion movement is fueled by a religious opposition to abortion as a mortal sin. I would argue, however, that the distaste that many others have for abortion stems from the notion that to be a mother is to enter into a *secular* form of a *sacred* covenant with a society. Thus, to abort is to diminish one's status as a woman because it precludes one's identity as a mother.

The abortion struggle is only part of the story of woman's fight for bodily autonomy and full citizenship. The bitterness of the contemporary struggle for reproductive freedom has its antecedents throughout the course of history. Yet our current battle raises the most potent danger to women's autonomy because now the womb has been pitted against the woman. The mother's child-of-her-womb has increasingly been replaced by the fetal citizen. With the creation of this preborn, presentient, and invisible citizenry, a woman's quite legitimate expectation of privacy and control in pregnancy is being obliterated.

Even during periods of primitive, or what moderns would call "barbarian," birthing practices, there prevailed the notion and the reality of the "mother's child" inside her womb. Yet now the privacy of pregnancy, long understood as a common right, is a phenomenon of times gone by.

Because they are generally perceived as a wonderful thing for women, advances in reproductive technology like artificial insemination and fetal surgery have elevated the notion of motherhood. One unintended consequence of this elevation is to diminish the public's approval of the abortion choice, and thus perhaps contribute to the lack of available, affordable abortions for many women. At the very least, technology has added to the complexity of the fight for a reasonable balance between the values of woman's life and those of fetal life.

Women who cannot have babies often want to have them; this is not a recent development. In the past, infertile women who craved the joys and satisfactions of motherhood had few options, other than to adopt. In the last part of the twentieth century, birth research has kept pace with other medical advancements. Childlessness need no longer be permanent. At the same time, this has made autonomy in

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pregnancy problematic indeed. The dark mystery of life's beginning is now quite in the open, never to be returned to the shadows and whispers of the past. With both the womb and the birth process in the public eye, protecting a woman's rights and privacy becomes a tougher job.

Although the miracle of birth may still be a miracle, we have changed its meaning. Miraculous births are now documented because of sophisticated and technically assisted pregnancies. The notion of that guarded thing called "pregnancy" is no longer part of our vernacular. A friend has said these events have ushered in the age of "kangaroo pregnancies"—we carry our young in observable, almost external "birth pockets."

While technology has revealed some of the mystery of life, this revelation has been politically distorted by the pro-lifers, who believe they know the exact second when life begins, notwithstanding scientific debate. Specifically, one downside of the now open womb is the opportunity it gives anti-abortionists to conjure up the image and the accusation of the "BAD MOTHER."

The neglectful mother, the abusing mother—these are powerful and incriminating labels. Some children are indeed mercilessly pummeled by disturbed parents, left to fend for themselves in abandoned houses, scalded in hot water, and thrown from apartment windows. And sadly, women—mothers—are sometimes the culprits. But the notion that a woman can be accused of child abuse or neglect *before* the birth of her child is a fairly recent phenomenon. The Reproductive Rights Project of the American Civil Liberties Union reports that fetal neglect and fetal abuse charges are occurring on a regular basis. A California case in 1986 brought to light the issue of fetal neglect, illustrating in the process the vulnerability of women, especially poor women. A San Diego resident, Pamela Rae Stewart Monson, was charged with criminal negligence because she gave birth to a "brain dead" infant son, who died three months later. According to the prosecution, the child's condition and subsequent death were a result of the mother's fetal neglect.

The seeming grounds for such cases stem from a variety of state laws, of which California has one. Some "feticide" laws permit prosecution for murder when a fetus is killed during a fatal or near fatal attack on a pregnant woman. One such example would be the ghastly murder of the pregnant actress Sharon Tate at the hands of the Charles Manson gang. Other such laws are designed to force fathers of illegitimate children to support their pregnant partners. As happens too often, whatever the motivation for enacting a law, any group can try to make that law serve its own ends. In this case, the feticide laws provide the right-to-life movement with a legal foundation for the persecution and prosecution of women.

According to the prosecution, Monson failed to behave in a manner that would have provided maximum safety for her unborn child. She did not receive prenatal medical care until the seventh month of her pregnancy. Her infant presumably had barbiturates and amphetamines in his blood. The lawsuit alleged that she had been warned not to take drugs, not to have sexual intercourse, and to seek medical attention immediately if she began to hemorrhage.

Underlying the Monson case is the question of social class in America. For poor women, quality and availability of prenatal care are seriously deficient. Hence, it is hardly fair to assume that poor women are not motivated to take care of themselves during pregnancy and then of their babies. The reality instead is that poverty and the lack of consistently good prenatal care prevent many from acting in ways we have come to define as responsible.

Despite the problem with fixing blame for "neglect," the feticide laws are the opening wedge for a serious invasion of privacy. Following from the notion of fetal neglect is public regulation of pregnancy. With such regulation, the privacy of pregnancy is further jeopardized and the autonomy of women eroded.

The Monson precedent could, for instance, be used for a myriad of public policies to monitor and control pregnant citizens. Smoking is just one example of a private behavior known to be unhealthy to a fetus. The

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consumption of alcohol is another; the growing use of drugs constitutes the most striking danger. In the words of the lawyer Lynn Paltrow, where will we stop?—perhaps we "should prosecute women who stand on their feet too long." Obviously drug-addicted women need help, but is criminal prosecution of their pregnant selves the most appropriate remedy?

A fairly innocent story illustrates the complexity of intervention aimed at pregnant women. Two obstetricians in a Philadelphia suburb provided a small discount to pregnant women who quit smoking. They had observed the differences in the health of smoking and nonsmoking women and the consequent results on babies they delivered. We may assume that their inducement stemmed from good intentions.

Yet there is a darker side to this tale, which makes their offer substantially different from the discounts offered to nonsmokers by health or life insurance companies. In the case of insurance rates, the person involved is responsible only for him- or herself; choose to smoke or choose to quit. In the case of the doctors, the discount offered was based on medical evidence that healthier babies are born to women who do not smoke. Does it then follow that expectant mothers should be monitored to be sure their behavior or habits do not harm the fetuses they are carrying? The choice appears to be stark. Which is the more important value: to safeguard the individual autonomy and personal privacy of pregnant women or to make sure the society gets healthier, chubbier babies—babies less likely, by the way, to need state care or aid?

In fairness, the doctors in question did not pry into the lives of their patients. Those women who chose to quit smoking were rewarded by a discount. The case does, however, raise the seemingly simple but desperately complex question: should privacy in pregnancy be protected if it could mean that some babies will not be as healthy as other babies? And more important, whose responsibility is it to assure, insofar as possible, the delivery of healthy babies? Is it the responsibility of mature, responsible women (with the aid of their families and at the suggestions of their doctors), or is it the responsibility of law, public policy, or, in the extreme case, religious zealots who place the rights of the unborn above the rights of the living?

There is, needless to say, a substantial difference between voluntary nutritional and educational programs and other forms of aid for impoverished pregnant women and the *demand* that women behave in certain ways in order to protect their unborn. Yet it is easy to understand how things get muddied once the state becomes involved in the "well-being" of pregnant women. Liberal social welfare programs sponsored by those in favor of choice might unwittingly provide a kind of precedent for fetal neglect cases, which are popular among anti-abortion crusaders. Once the business of minding the health of pregnant women and their potential offspring is placed outside their own purview, an ideological free-for-all ensues, with each side choosing their weapons and shields.

With the United States already ranked an incredible nineteenth among industrialized nations in infant mortality, would less autonomy in pregnancy cause any fewer deaths of infants? And can we devise a benign control that would afford a smaller loss of personal freedom? In attempting to provide assistance to pregnant women, we cannot avoid opening the door to control and regulation. Government nutritional programs and federally funded prenatal programs tell us that we do believe that the life of the unborn is worthy of public attention and care. We are still searching for programs that signify we are equally worried about the lives of women, pregnant or not.

Sue Monson, the first woman whose case brought national attention to fetal neglect, was charged under a California law that was originally intended to force fathers of illegitimate children to support the women during pregnancy. Obviously, this law was supposed to be used not against women, but for their protection. This would-be benign regulation of pregnancy was coopted by the political forces of the New Right and its allied groups. Obviously, twisting protective legislation for women into a tool of discrimination is not

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something new. We have seen the limiting effects of "protective" measures for women in employment practices for a long time.

The delivery of social services to pregnant women poses a dilemma because it is both a form of protection and a form of intrusion. It is one thing to entrust a medical doctor with the power to help a woman decide on an abortion, but it paves the way for the kind of grotesque abuse evidenced in the Monson case. Such cases invest in the doctor a kind of judicial power closer to tyranny than to the sage advice of a trusted family "medical friend." They elevate medical counsel to law. It also suggests that the refusal to follow your doctor's advice, should he or she be of a different political stripe, might find you reported to the authorities.

A doctor might tell a middle-aged man to stop smoking. If he refuses and then dies of cardiac arrest or lung cancer, it is a tragedy for the man, his family, and his friends. But no one is likely to advocate prosecution for not taking the doctor seriously. After all, whom would one prosecute—the dead man? It is specifically the pregnant woman, entrusted with the next generation, who is most vulnerable to this kind of invasion and intimidation. In other legal cases, the refusal of women to consent to cesarean section deliveries has prompted similar public and legal reactions from hospitals, doctors, and right-to-life advocates. In another case, a woman dying of cancer was forced by a hospital-secured court order to undergo a cesarean section after her husband, her parents, and her personal physician said no. The infant died almost instantly, and the cancer-patient mother within a few days.

The *Roe v. Wade* decision gave women, of the appropriate age and financial means, the ability to claim their guarantee of privacy in decisions to terminate pregnancies. However, the doctrine of fetal neglect says all women are potentially accountable for the outcome of their pregnancy and the condition of their offspring at birth.

Although the Monson case was eventually dismissed by a California court, it exists as a cold and stark reminder. Does a pregnant woman have the right to live autonomously with the full complement of her liberties protected, or does she, by virtue of her pregnancy, become another kind of citizen, a citizen whose obligations to the society are such that her rights and liberties become secondary, or, at worst, temporarily suspended? The question is begged: what is a woman, Private Citizen or Pregnant Subject?

Right-to-life supporters who are absolutely unrelated to families often believe they can and must make decisions not just for fetuses but increasingly for comatose patients in right-to-die cases. These advocates argue always on the side of preserving life at any level, and at any cost. Ironically, once a child is born, they act as though the state should drop its "compelling interest in preserving life."

We are one of the richest countries in the world, but we increasingly cut back on our welfare services for children, and are still unable to come to grips with an almost Third World ranking in infant mortality. Yet many thousands of Americans work up more than a little protective sympathy for fetuses, and even for bunches of frozen cells—much more, at times, than for babies once they are born and in dire need of assistance.

The concerns of those living and in need have traditionally been left to the liberals, who are most likely to honor the right to reproductive choice and the right to die. What is the appeal for the right-to-life forces of the desperately damaged infant, the unformed fetus, the comatose patient? Perhaps these forms of life are a much less threatening reality than the survival needs of living, thinking, conscious, and fully formed children and adults.

It is far too simplistic to assert that any and all intrusion is, by its nature, onerous or evil. Laws to protect women from brutal attacks that in turn might harm their pregnancies were originally well-intentioned. Doctors who wanted their pregnant patients to stop smoking were also probably well-intentioned. Certainly, programs monitoring a poor woman's nutritional needs are humanitarian. Yet from there we move to the reality of addicted women giving birth to addicted babies and to desperately ill AIDS–infected babies. There is the undeniable reality that babies are born, many thousands each year,

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who suffer, from the very moment of their birth, from serious, sometimes fatal, health problems due to the drug use of their mothers. On one level we might justifiably ask what kind of a callous society could say: "Too bad these little infants will have to suffer because we must not monitor the behavior or intervene in the lives of the mothers."

This is, of course, precisely the kind of sentiment utilized by the pro-life groups, which believe that the fetus is a full-blown human life, that civil liberties begin in the womb, and that there is nothing fundamentally frightening or dangerous about the wholesale monitoring of pregnant women through state or federally controlled programs. Further pain is added to this already tragic scenario because so few drug rehabilitation centers or detox clinics are willing to take pregnant women because of liability and insurance problems. Thus, the high-risk pregnant and poor drug-abusing woman, hoping to break out of her habit to protect herself and her fetus, usually finds no welcome in programs that might help her and her fetus.

Clearly, there must be a way to get beyond the specter of millions of pregnant women lined up to get their blood and urine tested at neighborhood or community "Pregnancy Monitoring Centers," probably euphemistically renamed something like Maternal Health Centers. For if a society chooses to rationalize the invasion of privacy in order to help ensure the health of its future generations, then it can also move to a rationalization of pregnancy monitoring that would, over time, redefine and extend the meaning of "high-risk pregnancy." The category might easily come to include mothers or potential mothers who are "sick" women with kidney diseases, arthritis, diabetes, the panoply of auto-immune connective tissue disorders like lupus, and the virtually limitless array of diseases that have hereditary factors.

It is the notion of the fetus as a person that most complicates the issue. Until we find a way to protect unborn life, without a complete disregard for the integrity of the life of the already existing woman, we will run eternally into the wall of personal freedom and privacy, and we will find many casualties as a result. The politics of the womb have once again forced a notion that motherhood is a woman's chief goal or primary definition. But child care, pregnancy, and the attendant cares of bringing up the next generation cannot be only women's issues or feminist issues. They are human issues, and not until they are moved from an exclusively female agenda will women also move away from an arena where they come under such intensive attack. To honor the sanctity of fetal life while government and its policies ignore the needs of its existing women citizens and already-born children constitutes a national betrayal. □

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Drucilla Cornell

SEX-DISCRIMINATION LAW AND EQUIVALENT RIGHTS

I want to suggest that we should understand the wrong in sex discrimination as the imposing of a law of gender identity on lived possibilities—whether those oppressed are women who seek to be truck drivers or prison guards or homosexual men who want to be fathers or to have access to desperately needed medical treatment such as AZT. Under current sex-discrimination law, as conventionally interpreted,[1] the wrong of discrimination is that a universal standard is imposed on an individual who does not match that universal. I will argue that this interpretation is insufficiently inclusive of what should be considered sex discrimination. Second, I will advocate a program of equivalent rights that allows us to respect diversity and different lifestyles and, by so doing, will challenge the reigning doctrine of discrimination employed by the Supreme Court.

Under the Court's doctrine, the wrong of sex discrimination is seen not as the imposition of stereotypes per se but the imposition of stereotypes that are not "true"—that is, when the stereotypes are not an adequate description of the actual life of the person. For example, if a job requires that the employee lift two hundred pounds, and a woman can lift two hundred pounds, she should be able to take on the job even if women generally could not meet the job requirements. Difference, in the sense of being unable to meet the norm, must be shown, not just assumed on the basis of generalizations about gender. On this definition of discrimination, equality depends on the demonstration that a woman is *like* her male counterparts. Discrimination, so defined, is based on a comparative evaluation between the genders. To show discrimination under the statute, one must compare the class of women to the class of men.

Under this conception of discrimination, heterosexual white men can sue because of the imposition of an inaccurate stereotype according to which they are judged exclusively on the basis of their gender. Thus, white heterosexual men have been granted jurisdiction under Title VII of the Civil Rights Act of 1964.[2] Jurisdiction allows a person to sue. If you are granted jurisdiction, you may proceed with your case. The irony, however, is that gay men have been *denied* jurisdiction under the same statute because their complaints have been found to involve discrimination on the basis of sexual orientation. Thus, for Title VII purposes their complaints as gay men have not been understood as sex discrimination. This supposedly follows from the comparative analysis that contrasts the status of men and women rather than the competing status within the class of men. Under this reasoning, the differentiation would be between two groups of men, heterosexual and homosexual, and not between men and women.

But, of course, to point to the established definition of discrimination only pushes the problem one step further back. We still need to question a conception of the relationship between sex, sexuality, and gender that denies a gay man the right to seek redress under Title VII. I distinguish between sexuality, sex, and gender in the following way: sexuality is meant to indicate that we are all creatures of the flesh with physical desires. Sex is used to indicate genital difference between men and women,

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which has often been taken to be the basis of gender identity. Gender is the meaning given by conventional structures to the reality of genital difference. We also have to question why, when women are "truly" different, they cannot claim that they have been discriminated against or treated unequally. This issue is not merely a question of why women should have to meet an already established male norm, which, of course, assumes that in a patriarchal society what appear as neutral standards will often implicitly assume the male to be the norm. The question is how difference can be taken into account even when that difference is an "accurate" stereotype.[3] This problem has been central to the feminist debates as to how the issue of maternity, including maternity leave, prenatal care, and abortion should be legally addressed.

First, however, let us take the problem of whether or not denial of jurisdiction to gay men under the statute can be justified, because the discrimination of which they complain is supposedly not based on sex. As we have seen, the argument is that the complaint is not based on "sex" or gender but on a division within the group of men themselves due to sexual preference. But there is also the implied assumption that heterosexuality is "normal." This assumption is necessary to justify the appeal to the reality that homosexuality has been historically and legally condemned. Some judges at least have appealed to the past when heterosexuality was established as normal, and made this their justification for the right of states to make it a crime.

The best example of the logic of this particular circle is in Justice White's majority opinion in *Bowers v. Hardwick*. There, White concluded that the "privacy right" established in the line of cases from *Griswold* through *Roe* and *Carey* did not cover homosexual activity. He also argued that there was nothing in the Constitution or the Bill of Rights, in spite of the interpretation of precedent, that guaranteed any fundamental right to homosexual activity. As a result, Justice White rejects the Eleventh Circuit's holding that the Georgia statute violated the respondent's fundamental rights "because his homosexual right is a private and intimate association that is beyond the reach of state regulation by reason of the Ninth Amendment and the Due Process Clause of the Fourteenth Amendment." Clearly suspicious of the basis of the privacy right itself, White further concludes:

> Accepting the decisions in these cases and the above description of them, we think it evident that none of the rights announced in those cases bears any resemblance to the claimed constitutional right of homosexuals to engage in acts of sodomy that is asserted in this case. No connection between family, marriage, or procreation on the one hand and homosexual activity on the other has been demonstrated, either by the Court of Appeals or by respondent.[4]

Of course, if one is a homosexual, the right to engage in homosexual activity has everything to do with "family, marriage, or procreation," even if the standard rights of heterosexual engagement have been denied to gay and lesbian couples, and even if gay and lesbian couples seek other forms of intimate association. Can Justice White's blindness to this obvious reality be separated from his own implied acceptance of heterosexuality as the "natural" and, therefore, right way to live? Here we see how implicit conceptions of human nature and, more specifically, sexual identity, affect a concrete decision. Without such an implicit appeal, Justice White can only rely on the "fact" that most states—and this remains true today—impose sanctions on homosexual activity. This reasoning represents the mistake of deriving an "ought" from an "is."

But Justice White returns us to the state statutes and to the explicit appeal to what is "natural" and, therefore, "right" in terms of sexual identity. Homosexual activity is outlawed by the state statutes because it is "unnatural," "abnormal," or "perverted." Without this distinction, the opinion rests on a tautology. We can see more clearly the validity of Justice Blackmun's conclusion in his dissent. For Blackmun, the right involved in *Bowers* is the right of consenting adults to be left alone in their intimate associations.[5] For Blackmun, this right could not legitimately be withheld without some justification, other than

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it had always been withheld.[6] If, however, we go one step further and say that there is no normal gender identity based in our "sex" that makes homosexuality "unnatural," then there can be no such justification for "outlawing" such homosexual activity. We will return shortly to why a psychoanalytic perspective, and more specifically to the analysis of sexuality, sex, and gender in the works of Jacques Lacan and Jacques Derrida, can help us dismantle the legitimation of heterosexuality as "natural."

But before doing so, let us turn to our second problem in discrimination law: the difficulty of finding discrimination under Title VII when women, because they seem actually to be different, are "accurately" stereotyped. What this means concretely under our current law is that if a stereotype can be shown to be true—true here understood as an accurate description of reality—for example, that women cannot meet the long hours required by law firms when they have children and therefore fall short of the requirements for partnership, then there is no legal discrimination. How are we to solve these problems?

I want to suggest that the prevailing definition of discrimination rests on the identification of gender, sex, and sexuality and on a certain distinction between normalcy and perversion. As a result, the deconstruction of rigid gender identities can give us a new approach to the two problems I have just described, as well as help us see more clearly the wrong of "sex" discrimination.

Let me take note of two aspects of Jacques Lacan's analysis of the division of human beings into two "sexes." The first is that Lacan's recognition of the way in which language constructs meaning rejects any attempt to root sex, sexuality, and gender identity in a fixed or pregiven nature or set of libidinal drives. Thus, there is no biologically based gender identity and, correspondingly, no normal, mature sexuality that can be understood as the culmination of the proper development of the libidinal drives. In this sense, Lacanianism refutes the traditional Freudian conception of sexual perversion, which turns on an account of the "normal" maturation of sexuality into heterosexuality. Lacan thereby undermines the claim that patriarchy is in any way mandated by the nature of biological sex. Second, because Lacan recognizes the role of fantasy in the assumption of gender identity, he also understands that there can be no complete identification of oneself with one's gender. The very idea of gender is itself always shifting, because there can never be any end to the divergent interpretations of the meaning of gender in an "accurate" description of sex or sexuality. This would imply that neither women nor men can be identified with their biological sex. In spite of his recognition that gender as a cultural structure determines sex and sexuality and not the other way around, Lacan's analysis emphasizes the way the law of this division is self-replicating. Thus, even if Lacan understands the situation of women within patriarchal culture and society as an unnecessary subjugation—if by unnecessary we mean not by nature—he still sees change in the gender structure as well nigh impossible.

Derrida avoids this pessimism and instead emphasizes the political and ethical significance of the way in which lived sexuality never perfectly matches the imposition of gender identity. Derrida reinterprets Lacan's insight into what is perceived as the inability to separate the theories about the truth of Woman from the fictions in which she is represented and in and through which she portrays herself. For Lacan, there is no outside referent in which the process of interpretation of sexuality comes to an end, such as nature or biology, or even conventional gender structures. As a result, we can never discover the "true," authentic ground of female identity.[7] For Derrida, this linguistic code cannot be frozen because there is always a slippage of meaning in the actual employment of language, which, in turn, cannot be separated from the metaphorical basis of language. Because he understands that language cannot be cleansed of metaphor, Derrida can show us that what shifts in language, including the definition of gender identity and the designation of the feminine as

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the lack of the phallus, can always be interpreted.

Derrida would also remind us that heterosexuality and homosexuality are given their current meaning only as they divide the human race sexually into two genders, male and female. The possibility of reinterpretation of the meaning of the gender hierarchy itself is what keeps open the space for Derrida's "new choreography of sexual difference."[8] This new choreography challenges heterosexuality as the norm. Reinterpretation of the gender hierarchy, in other words, makes possible the transformation of current structures of gender identity. It is a mistake, then, to think that Derrida reduces Woman to the definition of lack or fundamental nonidentity.[9] Rather, he argues that "sex" and "gender" are not identical. In the space of that separation we can open up further transformative possibilities.

We can now return to why both Lacan's and Derrida's interventions into the Lacanian analysis of the gender divide can help us rethink the wrong in discrimination and, more specifically, help us solve the two problems in discrimination law I indicated earlier. First, the psychoanalytic perspective I have developed here can help us think differently about sex discrimination against gay men. As we have seen, Lacan's own denial that there is a pregiven sexual nature that determines gender rejects the validity of the concept of perversion or even the concept of a normal, mature social identity. Therefore, the division between normal and abnormal "sexual identity"—as long as that identity is based on consent between adults—is taken to be a cultural construction, not a natural necessity, so that the appeal to what is natural cannot justify the state's right to outlaw homosexuality. The state's right to outlaw homosexuality was what was at stake in *Bowers*. Because the Supreme Court found no unconstitutional violation in Georgia's criminal statute and because criminal law is governed by the state unless a particular law does not pass constitutional muster, the state was found to have the "right" to outlaw homosexuality.

Now, I want to propose a first sense of equivalent rights. First, homosexuals should be given the *equivalent right* to be left alone in their intimate associations, whether or not they choose to mimic the life patterns of traditional heterosexuals. This recognition of the equivalent rights of homosexuals is, to my mind, the best interpretation of Blackmun's dissent in *Bowers*. I advocate *equivalent* rather than *equal* rights so as to recognize the difference of homosexuality, which should not have to match itself to heterosexual arrangements in order to justify itself.

As for the question of jurisdiction under Title VII: if gay men are discriminated against because they do not fit into the traditionally defined properties of the masculine, then they are being discriminated against because of their supposedly "aberrant" sexuality. Thus, this condemnation should be understood as sex discrimination. Derrida shows us not only that such a rigid designation of human being is arbitrary but that it also curtails possibilities of a sexuality lived differently. As such, it is normatively suspect for limiting possibilities when this limit is not only unjustifiable by reference to a pregiven nature or gender identity but also "causes the misery"[10] by denying a fulfilling sexual life to gay men and women. Against the possibility of a "new choreography of sexual difference" that can never be foreclosed, we can then redefine the wrong in discrimination. It is the imposition of rigid gender identities on sexual beings who can never be adequately captured by any definition. From this point of view, gay men suffer "sex" discrimination precisely because the reality of their "sex" and sexuality is denied in the name of a gender identity imposed upon them.

I have already discussed how the standard definitions of discrimination specify the illegal harm to be the imposition of a "false" stereotype. But if we accept that the wrong in discrimination is the imposition of gender identity when it cannot be adequate to enjoyed sexuality or lived individuality, we can begin to rethink whether or not discrimination should be limited to the imposition of a false stereotype. The imposition of rigid gender structures may well mean that women have been forced to define their lives within those structures. In other words, women are imprisoned by stereotypes that limit their options. Thus, against the backdrop of a new choreography of sexual

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difference, the very reinforcement of stereotypes can be understood as discrimination. Title VII should disrupt the status quo of gender hierarchy rather than establish its reinforcement.[11] The very process of stereotyping could then be understood as itself a wrong, because it forecloses individual possibilities in the name of "gender," which in turn rests on the implied identification of gender and "sex."

Under this reading, the "mommy track"[12] would be wrong because it reinforces the very gender divide in which "mommies" mother. The "mommy track" is one way of allowing women to have limited rights within the job market, given the imposed truth of the stereotypes. But, of course, women are still expected to make sacrifices in their lives because they mother. As a result, such "rights" are not "equivalent." If mothering is a valued social activity, then there should be no sacrifice of either status or pay, and, of course, in the name of collapsing the gender divide and imposed stereotypes, we should encourage men to take up this activity.

Even if we can interpret Title VII to challenge conventional gender stereotypes, we still have to face those circumstances in which the differences between men and women, masculine and feminine, cannot be reduced to imposed convention, even the imposed convention that women are primary caretakers of children. The obvious examples are, of course, those that seem inevitably to characterize sexual difference as anatomical difference, not just role difference. As of now, women and men must still have a different relationship to reproduction because it is women who physically bear children. How can we take this actual difference into account? Under the current standards, the only way feminine difference can gain legal status is, ironically, to obliterate itself or to define itself in already-accepted conventions like the "mommy track," an arrangement whereby women who need a flexible schedule to meet the needs of their families are given the "opportunity" to work part-time. Unfortunately, in terms of career goals, this accommodation serves only to relegate these women to positions where they have no hope of reaching senior management or achieving partnership. We continually have to analogize our experience to men's if we want it recognized. If we can show that a pregnancy is like a hernia, we can legitimately claim that we are discriminated against as women when our insurance program covers hernias and not pregnancies. The political struggle against the suffering of women that goes unnoticed by the law involves a recognition of feminine difference in those circumstances when we are different, as in our relationship to pregnancy, while simultaneously not reinforcing the stereotypes through which patriarchy has attempted to make sense of that difference and has limited our power because of it. For example, to challenge the devaluation of childbearing we must insist on the recognition of feminine difference, and this difference must not be interpreted so as to devalue us.

Here we are returned to the second category of equivalent rights, now understood to cover those aspects of life and lived sexuality that allow women to live full lives. These rights are equivalent because they allow difference to be recognized without women having to show that they are like men for legal purposes or having to make sacrifices because our "sex" is "unlike" men's. The right of abortion is a classic example of equivalent rights for women. Without such a right, women cannot aspire to achieve the most basic sense of well-being, some limited control over reproductive capacity. If there is a vision of equality that justifies equivalent rights, it is equality of welfare.[13] Men clearly do not need the right of abortion. But that does not mean that women should not have such a right guaranteed if they are to have equality of welfare. We need a vision of equality if we are to protect equivalent rights from degenerating into a new defense of "separate but equal." The best vision of equality by which to justify equivalent rights is Amartya Sen's equality of welfare and capability. Sen defines equality of welfare and capability as follows: "[C]apability reflects a person's freedom to choose between different ways of living."[14] Such a view of equality is important for two reasons: First, it allows for the respect and recognition of diversity and different life-styles. Second, it allows for affirmative measures on the part of the state to restructure current work arrangements to guarantee equality of welfare and capability. For

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our purposes here, we need only a very thin theory of the good to fill in what constitutes well-being. It must only include the need to have the value of one's sex and sexuality recognized as of equivalent worth to the life-style of white heterosexual men.

Derrida, especially through his intervention into the psychoanalytic theory of Jacques Lacan, can help us challenge the categories of the person, sexual difference, and gender identity that have blocked our thinking about what legally constitutes sex discrimination. □

Notes

[1] I say conventionally interpreted because there are dissident circuits and judges who not only do not make this mistake but who also strive to expose the dangers inherent in the imposition of these kinds of stereotypes in the area of sex discrimination law.

[2] 42 U.S.C.A. Sections 2000e-2000e-17. Title VII prohibits the use of discriminatory employment practices on the part of an employer. The statute states, in relevant part, that:

> (a) It shall be an unlawful employment practice for an employer—
>
> (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because such individual's race, color, religion, sex, or national origin; or
>
> (2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin. (42 U.S.C.A. Section 2000e-2)

[3] It should be noted that this question is crucial not only in cases of sex discrimination but also in the area of reproductive rights, whether it be a matter of pregnancy leave or the right of abortion.

[4] 478 U.S. at 190–91 (1986).

[5] See id. at 199 (Blackmun, J. dissenting).

[6] See id. Quoting Justice Holmes, Blackmun reminds us that:

> It is revolting to have no better reason for a rule of law than that so it was laid down in the time of Henry IV. It is still more revolting if the grounds upon which it was laid down have vanished long since, and the rule simply persists from blind imitation of the past. Id.

[7] This was the project of some earlier feminist Freudians and post-Freudians who wanted to salvage the truth of femininity so as to understand our unique identity.

[8] This phrase is the keynote of Derrida's "Choreographies," supra note 2.

[9] In the Summer 1989 *Dissent*, Seyla Benhabib argued that the alliance between feminism and so-called postmodern philosophy is, at best, uneasy. Her worry—and it is a worry frequently articulated in feminist political critiques of deconstruction and postmodern philosophy more generally—is that Jacques Derrida's deconstruction of gender identity reinstates the patriarchal view of Woman as the mysterious Other, without a knowable essence, substance, or identity. Feminists, on the other hand, have militantly rejected the so-called nonidentity of Woman as one more mystification that justifies the subordination of actual women. Derrida, on this reading, is accused of the restoration of feminine stereotypes through his very deconstruction of gender identity and, more particularly, of a graspable female identity that could provide us with a basis for a specifically feminist politics. Ultimately, however, this reading misunderstands the ethical and political significance of Derrida's deconstruction of the structures of gender identity.

[10] Wilhelm Reich, *Reich Speaks of Freud: Conversations with Kurt Eissler*, ed. Mary Higgins and C.M. Raphael (New York: Farrar, Straus & Giroux, 1967), pp. 42–43.

[11] It should be noted that this purpose is consistent with Title VII's intervention into a world of rigid race and sex stereotypes.

[12] Some women have taken the view that corporations ought to recognize two different groups of women managers: those who put career first and those who need a flexible schedule for personal reasons. See, for example, Felice Schwartz, "Management Women and the New Facts of Life," *Harvard Business Review* (January–February 1989), p. 65. Others take a stronger stance, demanding equal pay and an equal sense of entitlement for women. See, for example, Judy Mann, "The Demeaning 'Mommy Track': Separate and Unequal," the *Washington Post*, March 15, 1989, p. C3.

[13] The economist Amartya Sen is the leading proponent of the concept of the vision of equality referred to in the economics literature as the equality of welfare. See, for example, Amartya Sen, *Resources, Values and Development* (Cambridge: Harvard University Press, 1984); and Amartya Sen, *Choice, Welfare and Measurement* (Cambridge: The MIT Press, 1982).

[14] Amartya Sen, "Inequality Reexamined: Capability and Well-Being." (Paper prepared for a conference on the Quality of Life, organized by the World Institute of Development Economics Research [WIDER] held at Helsinki, Finland, July, 1988.)

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David Miller

A VISION OF MARKET SOCIALISM

How It Might Work—And Its Problems

The collapse of communist regimes in Eastern Europe reopens the question whether there is any form of socialism that might be adopted, with popular support, in the advanced societies. The experience of communism suggests, fairly unequivocally, that such a system must rely mainly on market mechanisms. Mikhail Gorbachev has gone on record as saying that markets and capitalism are not to be confused, that one predates the other by many millennia and, by implication, may postdate it too. But proposals for a socialist market economy, aiming to combine the efficiency advantages of markets with the humane and egalitarian goals of socialism, still meet with fierce resistance on both sides. Defenders of orthodox capitalism claim that you cannot reap the economic benefits of markets without private property in the means of production, whereas some socialists continue to argue that market socialism represents a capitulation to the enemy. My main purpose here is to show that market socialism remains true to basic socialist aims, but I shall also try to dispel some frequently expressed doubts about its practical viability.

If we are rethinking socialism in the light of twentieth-century experience, we must begin by identifying clearly the basic goals that animate the socialist tradition. There are several such goals, whose relationship to one another is neither obvious nor straightforward. First, there is the conscious direction of social activities toward common purposes: socialists have opposed the anarchy, so-called, of market capitalism, in which overall outcomes are simply a by-product of the pursuit of private interests by uncoordinated actors. Second, there is democracy, understood not simply as formal, parliamentary democracy but also as social democracy, democratic control of a much wider area of social and economic life. Third, there is material equality in the conditions of life. For a few socialists this has meant absolute equality; for rather more, it means a limit to inequality, with some disparities in living standards acceptable on grounds of justice. All, however, oppose what are seen as the excessive inequalities of a capitalist society. Fourth, there is freedom, understood as the opportunity for each person to develop his or her latent potential, and often contrasted with the narrow "negative" freedom of liberal society. Fifth, there is community, the idea that social relations should be characterized by cooperation and a sense of collective belonging rather than by conflict and competition.

It is worth noticing that there are possible tensions among these values. The aspiration to consciously direct social activities suggests the need for a single directing center, and this might well conflict with the socialist commitment to a widening of democracy. Again, the socialist belief in personal freedom is not self-evidently compatible with the idea of community, which might require that society impose upon itself a common set of moral values. But rather than speculating on these problems in the abstract, I should like to sketch a model of market socialism and then ask to

As part of the reconsideration of political and economic ideas that is now going, *Dissent* is scheduling a series of essays on market socialism. This article continues our exploration of the issue.

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what extent it realizes the goals I have identified.

Why Have Market Socialism?

Consider an economy in which each enterprise is formally constituted as a workers' cooperative, leasing its capital from an outside investment agency. Cooperatives make their own decisions about products, methods of production, prices, and so on, and compete with one another in a free market. Net profits form a pool out of which incomes are paid. Each enterprise is democratically controlled by all who work for it, and among the issues to be decided is the distribution of income within the cooperative.

Let us look a little more closely at what the ground rules of such an economy might be. Enterprises borrow capital from an investment agency at a fixed rate of interest and subject to certain restrictions. They have rights of use in the capital they borrow but not full rights of ownership. This means that the value of their fixed assets must be maintained: capital cannot be treated as income nor loaned to other enterprises. There must also be bankruptcy rules: enterprises that cannot provide their members with at least subsistence income must eventually be wound up, with the workers transferring to other cooperatives. Each enterprise must maintain its democratic form. If it wishes to expand, it must take in additional workers as full members with equal voting rights. Subject to that condition, however, it can adopt whatever internal management structure it chooses. Small cooperatives might want to decide most issues by general meeting, larger ones might want to have a more elaborate system of decision making, with executive committees, and so on.

In this model of market socialism, the state would have a significant economic role to play, but it would not attempt to plan the outputs of the economy directly. Its function would rather be to set the parameters of the market in such a way that the economy served broadly egalitarian ends. One important aspect of this function is regulation of investment, which is to be undertaken either by private banks or by public investment agencies (I shall consider later the pros and cons of these options). In either case, the banks' job is to provide capital to both existing and newly formed cooperatives. Investment decisions should take into account not only the commercial viability of each enterprise but also wider considerations—in particular the need to keep the economy competitive, avoiding concentrations of market power, and the need to maintain a regional balance in employment. The investment agencies also have a large role to play in providing information to enterprises about prices, market trends, and so on, and in sponsoring the formation of new cooperatives in industries and areas where the need is greatest. Finally, the state is responsible for establishing a minimum level of income and for supporting members of cooperatives that are unable, in the short term, to generate this income, so that new product lines can be developed or restructuring take place.

Besides these functions, the state would, of course, continue to carry out many of the tasks it currently performs, for instance, in the area of welfare provision. To advocate market socialism is not to make a fetish of the market. Markets are an effective device for providing a wide range of familiar goods and services, but where the boundaries should be drawn—which goods and services are best provided through the market and which through public agencies—is a matter of practical experience, not of principle. On the other hand, it is a serious error to confuse some possible instrument of socialism, such as the nationalization of basic industries, with the ends of socialism themselves.

The system just outlined is a pure model of market socialism intended to stimulate debate, not a blueprint for a real-world economy. In particular, as we shall shortly see, cooperatives will not always be the best organizational form for every industry. But before considering some practical problems, I want to consider the model in the light of the five basic goals of socialism listed above.

Market socialism sharply retrenches on the first of these goals: the direction of social activities toward conscious purposes. The

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general framework of the market—the form that enterprises take, investment policy, and so on—is established by deliberate decision; but concrete economic outcomes—what is produced, in what quantities, by whom—are left to the free play of market forces. What is achieved is economic efficiency, in the familiar sense of meeting consumers' needs with the least possible expenditure of resources and labor. Like other market economies, market socialism provides incentives for producers to respond efficiently to consumer demand, but unlike capitalism, it places all workers in this position by linking incomes directly to the net receipts of each enterprise. The macroeconomics of a system of this kind have been studied quite extensively now by economists, who can specify the conditions under which it will be efficient in the technical sense. I shall consider some alleged inefficiencies below.

We are forced to abandon, or at least severely curtail, conscious social direction as an aim by our experience of central planning in practice. Economically, it has proved increasingly difficult to coordinate activities through centrally issued directives the more technologically advanced a society becomes, for although the means at the planners' disposal may become more sophisticated, the range of economic activities that have to be coordinated becomes vastly greater. Readers will, I assume, be familiar with the economic difficulties faced in recent years by the communist economies, particularly in the provision of consumer goods, and also with the not-too-impressive record of nationalized industries in the West.

Perhaps more important still, the tension between central direction and democracy that I hinted at earlier has been confirmed in practice. This conflict can occur at two levels. At the national level, it is impossible to envisage effective planning without a bureaucratic machine staffed by experts with access to technical information and therefore always liable to break free from democratic control. Put simply, it is hard to imagine the ordinary citizen being in a position to master sufficient technical detail to challenge a decision of the planning authority. At the level of the local factory or social service unit, central direction will inevitably reduce the scope for direct democracy by preempting major policy decisions. Under full-scale planning, decisions about the nature and volume of production, the pricing of inputs and outputs, and so on, are all made by the central authority, leaving little room for meaningful industrial democracy.

Embracing market socialism also means qualifying, in certain respects, the socialist commitment to community. I do not mean that the commitment should be abandoned—indeed I have argued elsewhere that what continues to distinguish socialists from radical or egalitarian liberals (such as Ronald Dworkin) is their recognition of the importance of communal ties in underpinning collective provision and the redistribution of material resources. What needs to be given up is the vision of an all-embracing monolithic community that leaves no room for social relationships of other kinds. Instead, the market socialist picture is one of a complex society in which elements of community exist at different levels—in neighborhoods, in workplaces, and, above all, in the arenas of politics, where people can act to express their common identity as citizens—but also alongside competitive and other relations. Such a picture rests on a view of human beings as complex creatures both needing and being able to sustain a wide variety of relationships with their fellows.

Whereas market socialism requires some retrenchment on traditional socialist aims of conscious social direction and community, it can be defended fairly robustly by appeal to the values of democracy, equality, and freedom. Market socialism provides the best chance for industrial democracy, which is both valuable in its own right—it's simply a good thing for people to be in control of the environment in which they spend a good part of their waking lives—and important as a training ground and stimulus for democracy on a wider scale. Where the state assumes direct responsibility for economic decision making, there is no real scope for industrial democracy, and I think it hardly needs arguing that capitalist forms of ownership offer little scope for it either, because any delegation of decision making to a

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company's work force is always provisional and liable to cancellation if the decisions reached affect shareholders' interests adversely.

My second claim is that market socialism embodies a substantial degree of equality, substantial enough, I should argue, to meet the aspirations of most socialists. There is not, of course, complete material equality. The market relies on giving producers material incentives to respond to demand, and although the size of these incentives depends on tax schedules, which are politically determined, I don't want to suggest that they can be reduced to zero. Nor would this be desirable. Pure equality conflicts with the justice of rewarding people according to their productive contribution. The point is that in market socialism all income in the market sector is *earned* income, received as a result of decisions within each cooperative as to how its combined labor is to be deployed. There are no returns to capital as such. Moreover, this income is spread throughout the membership of each enterprise in accordance with whatever schedule has been agreed upon. Particular cooperatives may, of course, strike it lucky, in the sense of finding that their products sell unexpectedly well. But there is no incentive to convert such short-term gains to a long-term position of advantage under the system outlined, since cooperative members will be reluctant to reinvest their profits in what is from each member's point of view a collective asset on which he or she has no individual claim. If what matters in assessing equality is lifetime income, rather than income over some shorter period, it is reasonable to hope that windfall gains will even themselves out. Bear in mind, too, that the guaranteed income proposal provides a secure baseline beneath which no one is allowed to fall. In short, market socialism embodies three forms of equality: an equal minimum income, equal access to the capital allocated by the investment agencies, and a limit to market-generated inequalities by virtue of the cooperative system and social ownership of productive resources.

Finally, market socialism provides substantial and fairly distributed freedom. It provides, in particular, freedoms in the choice of work and in consumption, freedoms that contemporary experience shows to be highly valued. Markets allow people to plan their lives within the limits of the resources available to them, rather than waiting for the decisions of an authority. Existing capitalist markets can rightly be accused of negating this freedom, in the case of most people, by severely limiting the resources to which they have access. The arrangements I have sketched for market socialism aim to avoid this accusation. Access to capital remains crucial, and it is vital that the investment agencies not be able to exercise their powers in a discriminatory way. This is a major reason for wanting to have a plurality of such agencies—for instance, a central coordinating body and a number of regional agencies in charge of investment in their own areas—as I shall argue later. The aim is to dissolve personal power by providing people with a range of partners with whom to deal, so that they are not dependent on the grace and favor of any one official. The market achieves this for consumers, but under market socialism there is no capital market in the conventional sense, and so whatever system of capital allocation is chosen must aim to achieve the same end for producers. With this proviso, freedom under market socialism is secure.

How Would Market Socialism Work?

That, in outline, is the case that I would offer in support of market socialism: it promises economic efficiency, democracy at work, a high degree of equality, and personal freedom. But a number of critical questions have been raised about how such a system would work in practice, and I shall try now to address the most important of these (I shall avoid technical economic issues).

One set of questions concerns the efficiency of workers' cooperatives as a form of organization. Many existing cooperatives work on a very small scale, and this has led some critics to conclude that they are only appropriate in cottage industries. An alternative explanation, however, is that it is difficult for cooperatives to attract sufficient finance when they are competing with conventional capitalist firms;

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hence they tend to be concentrated in industries with low capital requirements. Students of cooperative organization suggest that it can work successfully in units of up to about five hundred people. In contemporary capitalism, there are few plants that are larger than this (and moreover plant sizes have been diminishing quite rapidly, presumably as a result of labor-saving technology). Of course most industrial corporations incorporate many such plants, but the reasons are financial rather than technological; there may be economic advantages in coordinating a complex production process through organization rather than through market relations between separate units. If that is so, then market socialism may miss out on one kind of economy of scale while simultaneously benefiting from an economic structure that is generally more competitive; that is, there will be a larger number of smaller firms, and less tendency to monopoly or oligopoly.

A related worry is that in larger cooperatives an excessive amount of time will be taken up by questions of internal organization, with meetings dragging on endlessly. This is said both to be economically inefficient and contrary to the preferences of the workers themselves, who have a limited appetite for participation (Yugoslavia is sometimes cited as an example where the quest for participation has virtually stalled productive work). In reply, I should reiterate that the only condition imposed by market socialism (in its pure version) is that the employees of each enterprise should retain sovereignty over the affairs of that enterprise and should be subject to market disciplines. They can choose whatever form of day-to-day management best suits their needs (and in larger cooperatives there is a very strong presumption that this would involve a formal management structure). A poor choice would show up in the form of lower incomes for the members, and there would then need to be a trade-off between income and level of participation. Over time, "technocratic" and "participatory" cooperatives might evolve to cater to different preferences. The main lesson to be learned from the Yugoslavian case is that you cannot have a viable system of self-management without exposing workers to the rigors of the market (with bankruptcy the ultimate sanction).

Rather similar comments apply to a related issue, labor discipline. It is sometimes alleged that worker cooperatives are reluctant to set up proper disciplinary mechanisms to deal with lazy or incompetent workers. However, exposure to the market gives workers a strong incentive to put such mechanisms in place, so that each can avoid having his or her income lowered by the fecklessness of comrades. Another allegation is that working in a cooperative is uncomfortable, because each employee has an incentive to check that his or her neighbor is not slacking. Clearly these two allegations cancel each other out and perhaps simply reflect different degrees of exposure to market forces. If workers can maintain their incomes while their productivity drops (as appears to be the case in Yugoslavia) then of course discipline is liable to disappear.

On closer inspection, then, most of the charges that are commonly leveled at workers' cooperatives as a form of economic organization fall to the ground. This is not to say that there are no problems for cooperatives.

In an earlier analysis in *Dissent* (Summer 1987) Saul Estrin and I pointed out that difficulties were likely to arise in industries subject to rapid technological change, because cooperatives require a relatively stable membership and are ill-equipped to deal with a radical restructuring of their labor force and also in industries requiring very high ratios of capital to labor, since cooperatives may be either unable or unwilling to attract the necessary amount of investment. A feasible market socialism ought to be institutionally pluralistic, in the sense that it should allow different forms of enterprise to develop to suit different sectors of the economy—for instance, labor-capital partnerships, firms that operate on the basis of an agreed division of rights, responsibilities, and profits between a labor board and a capital board, might be better suited to capital-intensive industries. This will not undermine the justifying case that I sketched earlier for market socialism provided that the cooperative sector remains the dominant one in the economy, setting employment standards and income norms for the other

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sectors (think of how relations even within a conventional capitalist firm would change if there were many opportunities for the employees to join workers' cooperatives instead).

The second issue I want to address is that of entrepreneurship. Critics often concede that market socialism solves the problem of incentives under socialism (since under the arrangements sketched, workers' incomes depend on their success in supplying the goods and services that consumers want); but they claim that the system will tend to stagnate, since no one has an incentive to innovate in a bold and risky way. Genuine entrepreneurship, these critics say, is possible only when an individual owner can bear the risks and reap the rewards of his innovations—hence it requires capitalist ownership of the traditional kind.

To evaluate this, we need to be clear about what entrepreneurship consists of. In common usage the "entrepreneur" is often used to designate the person who owns or manages a firm, but clearly these are distinct functions even if often combined in practice. The entrepreneurial function itself consists in perceiving a difference between the future selling price of some good (perhaps a good not yet made) and the cost of the resources (including capital) needed to produce it, and then setting in train a process of production to supply the good. Entrepreneurship is possible because of uncertainty: no one can be sure precisely what the future demand for a good will be at a given price, and because of this it is possible for entrepreneurs to receive a rent over and above the fixed return on the capital they employ.

The most striking entrepreneurial act is the decision to establish a new firm to exploit a market opportunity, but there is no difference in principle between this and the more routine entrepreneurship displayed when an existing firm switches to a new line of production or decides to make its products using a new technique. It then becomes an open question whether in any given economy the entrepreneurial function is mainly discharged by the founding of new firms or by changes in the production schedules of existing firms. Under market socialism there is likely to be a more stable enterprise structure, with less exit and entry of firms, but a greater willingness on the part of firms to adapt to changes in the market and use the skills of their members in new ways. There is still room for entrepreneurship of the first kind. A like-minded group of individuals may simply decide to set up an enterprise to exploit a market opportunity—or, more likely, a group may leave an existing cooperative and establish a new firm.

Perhaps the critics believe that entrepreneurship cannot be exercised collectively, that it always stems from an individual's perception of the state of the market. Now it may be true that bright ideas for new products, say, always crop up first in one person's mind. But even in a capitalist system, would-be entrepreneurs must persuade investors (bankers, shareholders) to advance them capital and workers to join their enterprises; all these people need to be convinced that the entrepreneur's idea is potentially a viable one. Exactly the same is true in a labor-managed economy: a worker with a bright new idea must persuade his or her colleagues to implement it, or failing that he or she must look around for new colleagues who are convinced by the proposal; and, of course, an investment bank must be induced to put up the capital. The main difference is that the worker in the cooperative system must be prepared to share the returns of his or her entrepreneurial skills with co-workers, in the form of the increased income flows that result. These fellow workers may be willing to give their inventive colleague a bonus—they would be well advised to do so—but there is nothing he or she can do to enforce such a payment while remaining within the cooperative. Capitalist entrepreneurs, on the other hand, can hope to corral all the returns of their entrepreneurship themselves.

The criticism then boils down to the claim that people lack a sufficient incentive to exercise their entrepreneurial talents unless they are able to corral all the proceeds individually. This claim seems a weak one. There is much satisfaction to be gained simply from seeing one's ideas work out in practice (and of course deriving *some* material benefit from this). Notice too that the capitalist system of entrepreneurship is likely to involve an

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unfair division of risk between the entrepreneur and his or her investors and employees. The former gets the returns of successful entrepreneurship while the latter two groups very largely bear the cost of failure—capital advanced is not fully repaid, workers have to face the considerable costs of finding new jobs, and so on. It is simply not true, as is sometimes alleged, that capitalist property relations allow a mutually agreeable distribution of risk between those who enjoy facing it (entrepreneurs) and those who are risk-averse (rentiers and employees). Everyone is exposed to the uncertainties of the market but not everyone is in a position to respond positively to those uncertainties. Under a market socialist regime, by contrast, all participants in the market sector of the economy have to exercise some degree of entrepreneurship—and bear the gains and losses accordingly—albeit perhaps only in the form of voting to implement X's clever new suggestion for making widgets more cheaply.

New goods and services will typically mean new investment capital, which brings us to the issue of how it should be provided under market socialism. In my initial sketch I assumed, in line with most economic opinion, that cooperatives should be externally financed by means of interest-bearing loans. In order to protect the autonomy of the cooperatives, it seems important that, instead of a single investment agency, there should be several competing sources of funding, so that a cooperative can switch away from an investment agency that tries to dictate the terms of the loan in an unduly narrow way. This could be achieved either by a set of private banks or through a devolved system of public funding—say one in which regional and local banks were made responsible to the tier of government in their area rather than to central government. Private banks might appear to be excluded by the general socialist principle prohibiting private returns from capital, but they could be constituted so that their shares were owned by cooperatives and public authorities in some proportion. The choice between public and private investment banks is a fine one. Private banks—which I assume would aim simply to maximize the return on their investments—would create an orthodox capital market, but perhaps at the cost of neglecting social considerations such as regional levels of employment. Public banks could be instructed to take such considerations into account when setting their investment criteria, but the corresponding danger is that they would become subject to political lobbying, with the result that they might pay too little attention to commercial factors, and, for instance, might prop up ailing enterprises that were large employers of labor in their own area. If public banks are preferred, it seems essential to protect them from such lobbying by granting them a large degree of autonomy—their overall performance might be periodically reviewed by the relevant political body, but not particular investment decisions. Under these conditions, it might not make much difference in practice what formal system of ownership was adopted for the investment banks.

This arm's-length relationship with the state rebuts the charge that investment agencies under market socialism amount to central planning under another guise. The primary function of the banks is to respond to applications for capital investment by cooperatives and other enterprises, and to judge these applications by ordinary commercial criteria. No doubt the banks would act as a source of financial advice to the cooperatives as they often now do to small capitalist firms. Investment banks under market socialism would have a more active role to play in fostering new cooperatives and would probably have special sections devoted to this task, but there would be no question here of any compulsion—the bank would simply play an initiating role in bringing together people seeking new employment, but would hand over the running of the cooperative to the members once it was established. (The best example of a bank's playing such a role is the Caja Laboral Popular at Mondragon in Spain, which has now helped to establish over one hundred co-ops.) The role of central government would be to decide the overall level of investment and to lay down general policy guidelines.

The criticisms I have been addressing are all variants on the theme that you cannot enjoy the

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virtues of a market economy while instituting a system of social ownership of capital. The final criticism I want to consider comes from a different quarter and has as its target the market element in market socialism. The charge is that because of its extensive reliance on market mechanisms a socialist market economy would suffer from many of the defects of existing capitalist economies, particularly in its effects on the natural environment. Market socialism is driven by the quest for profits; the fact that enterprises are predominantly labor-managed does not alter this fact. Thus, insofar as the quest for profit leads firms to use polluting technology and to destroy natural ecological systems, market socialism holds out little hope for improvement.

In reply I want to make a general point about markets and the environment, and then some specific points about market socialism. There is a tendency to saddle the market economy with environmental effects whose real source is uncoordinated decision making regardless of economic setting. If one producer (or consumer) releases sulphur dioxide into the atmosphere, little harm is done, but if many do it simultaneously the result is acid rain. This has nothing to do with the market or nonmarket nature of the economy, as we can confirm by observing that the pollution records of centrally planned economies, such as those of East Germany and Czechoslovakia, have been among the worst in Europe.

Whatever the economic system, environmental effects of this kind can only be controlled by collective action. Typically this will mean action by national government (or indeed supranational bodies), although it is worth noting that markets may themselves be responsive to environmental concern by consumers in some cases. We can see this happening in the current race to put environmentally friendly products on supermarket shelves. Where different brand versions of the same product are virtually interchangeable apart from their environmental effects, even a slight degree of green concern on the part of consumers will tip the scales in favor of the friendly brands.

So, although no one in their senses would propose laissez-faire as a recipe for environmental bliss, the relationship between markets and the environment is less one-sided than critics would have us believe. What of market socialism in particular? What difference is the transfer of control to enterprise work forces likely to make to the economy's impact on the environment?

It would clearly be absurd to suggest that no workers' cooperative is ever going to contemplate using polluting technology or destroying natural resources. But three factors make this less likely. First, because profits are shared throughout the enterprise, the economic stakes are lowered. By comparison to a traditional capitalist firm, no one person has much to lose by switching to a more environmentally sound technique of production. Second, the effects of environmental pollution will also be felt more widely among those responsible for making the decisions. This is most obvious where the technology produces toxic wastes that the workers have to handle themselves: it is difficult to believe that the present methods of disposing of wastes at nuclear power plants would have been adopted if those plants had been labor-managed. The point also applies, however, where the pollution takes the form of emissions into the surrounding air, water or soil. This is very likely to have a direct impact on the lives of at least some of the firm's members, and thus will be resisted fiercely.

Finally, decisions within a workers' cooperative cannot be taken behind closed doors in the way that they usually can in conventional capitalist firms. Every member has the right to be involved, and so unless there is unanimous agreement to conceal a decision, it will become a matter of public knowledge. This means that where environmental legislation is in place, it will be very difficult for a cooperative of any size to pay lip service to the legislation while covertly flouting it.

Does Market Socialism Have a Chance?

Having now sketched and defended market socialism on general grounds, I should like to conclude with a few remarks about its practical prospects. Market socialism has often been associated in the past with reform movements in the Eastern bloc. This has largely been

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overtaken by recent events, but in any case there are serious obstacles in the way of a direct move from a central planned economy to market socialism. Some of these can be brought to light by considering Gorbachev's attempt to create a cooperative sector in the Soviet economy as a way of dealing with the worst shortages of consumer goods, especially foodstuffs. Introducing a profit-maximizing institution into an environment characterized by scarcity, administered prices, and an extensive black market has had two main consequences. First, the cooperatives have tended to charge what are in effect black market prices for their products, far in excess of the prices prevailing in the state-controlled shops. Second, given materials shortages in the Soviet Union, many cooperatives have found it more profitable to import manufactured goods from abroad than to produce for themselves. Together these tendencies have created a public image in the Soviet Union of the cooperatives as racketeers and exploiters, and the resulting outcry has obliged the authorities to restrict their activities. But the fault lies with the environment rather than with the co-ops. The lesson is that the market element of market socialism must be in place prior to the socialist element. More generally, the experience of a command economy means that workers are ill-prepared to face the risks and responsibilities of self-management in a market environment. The skills required for cooperative organization need to be learned. Moreover, where wages have long been fixed by bargaining with central authority, the idea of earnings varying according to market success is unfamiliar and hard to take.

Paradoxically, then, market socialist ideas might seem to stand a greater chance of success in well-established market economies, where working under market constraints is a familiar experience, but where many employees find themselves frustrated by the hierarchical structure of the traditional capitalist firm. Paths of transition here might include schemes enabling employees to buy out their own firms, especially as a way of warding off takeover bids; the formation of workers' cooperatives as the natural mode of organization in high-tech industries such as computing, where all or most employees are highly skilled; and various schemes of profit-sharing and codetermination that involve a gradual devolution of responsibility to the shop floor in workplaces of a more traditional kind. None of these initiatives can succeed, however, without substantial political support—in the form not only of enabling legislation but also of financial backing for participatory enterprises—and here we face what is perhaps the most formidable obstacle to market socialism in the West. Consider the position of a society attempting to implement some form of socialism within an international order that remains predominantly capitalist. A society that, for instance, implements a form of self-management or imposes strict environmental controls on manufacturing industry may find that its products cannot compete internationally with those of other countries where capitalist practices remain unmodified. It then faces a stark dilemma: either it restricts trade, with serious economic consequences, including inability to take full advantage of the international division of labor, or it reluctantly reverts to free-market capitalism. We might then face a position where there was substantial support across the advanced societies for social change along lines proposed in this article but where no single nation was prepared to introduce the necessary reforms by itself.

My conclusion is that a strong case can be made for market socialism, in terms of both its congruence with core socialist ideals and its economic feasibility. The major difficulty lies not in the system itself but in finding a path of transition to such an economy either from the collapsing communist economies of the Eastern bloc or from the affluent capitalist economies of the West. Increasing international cooperation may work in favor of such a transition (the European Charter of Social Rights is perhaps a distant harbinger) if there continues to be domestic support for greater economic equality and a more participatory style of work organization. But the path will be a long one, and we ought to think of market socialism as a guiding ideal, not as a platform for the next election. □

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Jeffrey Scheuer

SPECIAL INTERESTS AND POLITICAL DISCOURSE

Since the early 1980s, no charge has been pressed so relentlessly—and effectively—against the Democratic party and the American left as that of being captive to "special interests." Like other buzzwords—choice, family, opportunity, and (most recently) "politically correct"—the phrase "special interest" can be used seriously as a neutral and descriptive term or, as is usually the case, as a rhetorical device, to defeat, bypass, or enflame rather than to argue or explain.

Of course there are special interests—I will list some varieties shortly. In a democracy it is both inevitable and desirable that groups and associations further particular policies or interests. The only alternative is totalitarian dictatorship. But some interests are more "special" than others.

In recent usage the term "special interest" has often been used to imply that liberalism and the left care only for fragmented publics (blacks, Hispanics, women, and so on) and not for the nation as a whole. As I will suggest, the idea of a broad national or public interest is problematic. But when we come to the popular and debased use of "special interests" we enter an arena of calculated deception. The most powerful and effective special interests in our society are not the defenders of the weak but the representatives of the strong: not the advocates of a fairer, safer, or greener America but corporate and industrial political action committees (PACs) foundations, trade groups, and the like.

The assertion that progressive interest groups are "special" in some insidious way or have a choke hold on our political system is easy enough to refute. If one consults, for example, *The Capital Source* a leading directory of Beltway organizations, one finds several hundred entries under the heading "interest groups." These organizations fall into several categories. Some are distinctly liberal: the American Civil Liberties Union, Americans for Democratic Action, the Alliance for Justice, People for the American Way, the Urban League, and so forth. In addition, there are groups representing such menacing and partisan causes as peace, arms control, public health, nutrition, world hunger, population control, and clean air and water. One finds, for example, the Anti-Defamation League, the Consumers Union, the Children's Defense Fund, Planned Parenthood, and agencies with missions such as cancer research, automobile safety, and the special interests of veterans and retarded people.

The list also includes dozens of distinctly conservative organizations: Americans for Constitutional Action, the Eagle Forum, the Liberty Lobby, the American Legion, the American Conservative Union, the Free Congress Foundation, the National Conservative Political Action Committee (NCPAC), the anti-union National Right to Work Committee, the Daughters of the American Revolution. There's the Tobacco Institute, promoting the fantasy that smoking doesn't kill people, and the even more bizarre National Rifle Association, advocating the freedom to use handguns, machine guns, and assault weapons. Such groups are no less special or interested than their progressive counterparts.

That's just in the "interest groups" category. Another entire section—"trade and professional"—runs to twelve pages, and lists all kinds of organizations, none of which maintain offices in Washington merely to keep up appearances. In fact, these latter associations—which include dozens of business and industrial groups with close ties to the Republican party—differ only in that they promote the financial and regulatory interests of their own constituent members. We find here, for example, the National Association of Realtors and the American Medical Association (two of the biggest PACs in Washington), the National Association of Manufacturers and the U.S. Chamber of Commerce, and the huge oil, insurance, banking, trucking, airline, and pharmaceutical lobbies: not exactly agitators for the downtrodden.

According to *Congressional Quarterly*'s *Washing-*

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ton Information Directory, the advertising business is represented by six different organizations. The alcohol industry has five: the National Licensed Beverage Association, the National Liquor Stores Association, the Distilled Spirits Council, the Wine and Spirits Wholesalers of America, and a more cerebral-sounding outfit, the Beer Institute.

Speaking of cerebral, what about think tanks? To test the thesis that leftist special interests are overrepresented in that category, one can consult *CQ*'s "Public Interest Profiles." Of the twenty-six Washington-based research institutions and opinion mills listed there, about six could be considered genuinely bipartisan; their combined budgets for 1988 were roughly $10 million. Another half dozen or so are moderate-to-liberal; a couple of these (the Democracy Project, the Institute for Policy Studies) are obviously progressive. Their combined budgets for 1988 were some $32 million—but fully half of that represents a single think tank—the Brookings Institution—which is well within the mainstream. The remaining fourteen think tanks are decidedly conservative. Their combined 1988 budgets equal nearly $75 million. So much for think tanks as a "special interest" target of the right.

Several conclusions are inescapable. First, the "special interest" label isn't the exclusive property of any party or ideology. In fact, both major parties represent "special interests" if they stand for anything at all. Competition among interest groups is intrinsic to, and develops apace with the complexity of, a democratic society. On almost any given issue in our political culture, there are organized interest groups in opposing (or at least competing) camps. "The regulation of [conflicting] interests," wrote Madison in *The Federalist Papers*, "forms the principal task of modern legislation and involves the spirit of party and faction in the necessary and ordinary operations of government."

If "special interests" are essential to political participation, then using the term invidiously is disingenuous at best. However, our peek at *The Capital Source* suggests a much deeper hypocrisy. It is the independent nonprofit groups, with purely political or public-service agendas, that the right targets in its special-interest rhetoric, while ignoring private, profit-seeking interests.

The mostly member-based nonprofit organizations may not always represent "the public interest"—depending on how that notoriously vague concept is defined. Imminent threats to public health and national security, and kindred matters on which there is overwhelming consensus, make the concept of national or public interest useful. No doubt there is a national interest in clean drinking water, healthy children, and safe streets. But in a stratified democracy, the privilege of appealing to the public or national interest is widely abused. (Even the widely shared values just mentioned are compromised for political reasons and because of limited resources. And there are always some—polluters, drug dealers, and so on—who would stand to gain by compromising those broad national interests.) What we can say is that nonprofit and issue-oriented groups represent *popular* interests and public purposes rather than the private economic interests of a particular group or industry. If any interests are "special," in a politically and morally significant sense, it is the economic elites that come to Washington to line their own pockets.

Unions, it is true, represent the interests of their members, and some of them have traditional ties to the left. But organized labor is outnumbered and outspent in Washington by business interests—whose adversarial relation to workers and hostility to collective bargaining occasion the existence and tortured history of the labor movement. Labor PACs are indeed major funders. Yet, listed among the ten biggest PACs in Washington in 1987–88 are the National Security PAC, the realtors' PAC, the trial lawyers' PAC, the NRA Political Victory Fund, the AMA PAC, Campaign America, and Jesse Helms's National Congressional Club—and not a single group representing the political interests of working people. According to the Federal Election Commission, there were 354 labor PACs in 1988; 786 representing trade and membership groups; 1,115 PACs without sponsoring organizations; and 1,816 corporate PACs.

Although the current political climate tolerates rhetoric suggesting the exact opposite, private economic interests have in fact long enjoyed superior influence on American government. To use the term "special interest" pejoratively in connection with citizen lobbies, unions, and issue groups, but not with Raytheon, Citibank, or the AMA, is a perversity worthy of Orwell. Indeed, one of the lessons of Orwell is that freedom is threatened not by some imminent dystopia but by a subtle yet profound process of erosion, and its signature isn't physical coercion but gross corruptions of language.

As information passes through the political bazaar, it is routinely corrupted by lobbyists, spin doctors, image managers, flacks, consultants, and other purveyors of the fragmentary, the simplistic, and the pretend. And it's all done in behalf of special

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interests—mostly private and corporate interests—even as nonprofit agencies and citizen lobbies are smeared as "special interests" with a broad polemical brush.

Various interlocking trends have produced this victory for right-wing rhetoric. The political background includes the conservative ascendancy in national politics since 1968; unresolved legacies of, and backlashes against, Watergate and Vietnam; and a $300 billion deficit, engineered in part to secure the reign of political reaction. A second dimension, on a scale almost too vast to comprehend, is the predominance of television in American politics over the past generation. Commercial television has raised the monetary stakes, while also hastening the decline of political discourse into a free-for-all of shallow slogans, crude imagery, slash attacks, and ideological food fights. It has made politics not only more expensive but more entertaining, spectacular, and superficial.

But the third and most basic dimension—the factor corrupting discourse and electoral politics alike and the real source of the special-interest problem—is the escalating role of money in the political system. Correlates of this trend include the rise of direct-mail fund-raising (pioneered by George McGovern but perfected by Richard Viguerie and other conservatives); the post-Watergate reforms that opened the PAC floodgates; and the ludicrous 1976 Supreme Court decision in *Buckley v. Valeo,* which equated independent political expenditure with freedom of speech, thus extending to corporate and wealthy political donors the imprimatur of the First Amendment.

The situation is appalling, and the symptoms multiple. During the 1988 election cycle alone, nearly $3 billion was pumped into the political process. Senate races now cost an average of $3 to $4 million; in other words, a senator has to raise on the order of $15,000 *per week* over the course of an entire term (or, better yet, raise even more in order to scare off serious opposition). In California, where there will be three Senate races in the next three years, it will cost candidates more on the order of $8 to $10 million to get through the primary and general elections. Some democracy.

Meanwhile, fewer than half of all eligible voters now go to the polls; the cost of television time has increased more than tenfold since 1974; and the turnover rate among incumbents is glacial: in 1988, 402 members of Congress were reelected, while seven were turned out of office. Last year, PAC contributions to House incumbents exceeded those to challengers by a ratio of sixteen to one; in the Senate it was eight to one.

According to Common Cause, which represents the "special interest" of good government, fifteen out of thirty-two senators seeking re-election last year either had no opposition at all or outspent their opponents by at least nine to one. Only two Senate challengers outspent incumbents. Junkets and honorariums constitute further forms of special-interest corruption, and franking privileges amount to huge public subsidies for incumbents.

Amid a rising level of disgust among legislators themselves, accentuated by the Keating Five scandal, reform legislation is at last gathering momentum. The Democrats' bill, S.3, the Senate Election Ethics Act, is a stronger version of the Mitchell-Boren bill that passed 59–40 in the Senate last year. It calls for a ban on PACs, spending limits, mandatory accountability for ads, and provides incentives for longer television spots through vouchers for ads of a minute or longer. It also would close loopholes in the existing laws, such as bundling of contributions, soft money paid to state parties, and independent expenditures on behalf of candidates. The danger is that it will be diluted and cosmetic. Some Republicans, including the president, have expressed willingness to ban PACs, which they regard as keeping incumbent Democrats in office. But they are less willing to put meaningful limits on campaign spending that would preclude candidates from financing themselves or raising money from wealthy individuals.

If cash were wholly removed from the political process through public financing of all federal elections, we would have less to fear from rhetoric of the "special interest" kind—and from special interests themselves. The distinction between public and private interests would survive, but the inequality of power between them would no longer be a key political multiplier. Of course, purely informational competition would be no guarantee of enlightened government: democracy itself may sometimes be a check on excellence. Private groups would still be able to buy more and better soapboxes; Mobil Oil would continue to promote gas on the Op-Ed page of the *New York Times*. But elections would be fairer, and legislators wouldn't spend much of their time raising funds from such groups in exchange for what is delicately called "access."

At present, Congress hasn't the stomach or the spine for so radical a measure as total public financing; yet many legislators resent being indentured to the present system, with its humiliating and time-consuming political fund-raising. Of course special-interest groups have a right to exist; of course they should be removed from the public trough. But in the end, there's a blunt truth about our

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sturdy but flawed democracy: when a majority of Americans recognize the travesty and demand change, either in how we elect our officials or how we conduct our debate, they'll get it. Until then, don't hold your breath. □

Lawrence Soley

RIGHT THINKING CONSERVATIVE THINK TANKS

The Roosevelt Center for American Policy Studies opened its doors in 1982 with seed money from Richard Dennis, Jr., an iconoclastic Chicago commodities trader and Mondale Democrat. The center called itself a "neoliberal" think tank, advocating free markets and a smaller Washington bureaucracy. But unlike its conservative counterparts, the Roosevelt Center trusted government rather than private enterprise to address the ecological crisis and the increasing income gap between the many poor and the wealthy few.

Last year, the Roosevelt Center closed its doors. It was unable to raise sufficient funds to continue operation. Corporations, a major source of funding for think tanks, refuse to finance any thinking that even hints at policing corporate practices.

Meanwhile, a conservative think tank called the Center of the American Experiment has opened in Minneapolis. The center projects an income of $1.5 million annually, most of it to be raised from corporations and conservative individual donors.

The Center of the American Experiment is one of dozens of conservative think tanks in the United States. The American Enterprise Institute, Heritage Foundation, Center for Strategic and International Studies, CATO Institute, Competitive Enterprise Institute, Council for Social and Economic Studies, National Forum Foundation, and Center for Security Policy are based in Washington, D.C. Beyond the Beltway are the Manhattan Institute (New York), National Center for Policy Analysis (Dallas), Hudson Institute (Indiana), Institute for Contemporary Studies (California), National Institute for Public Policy (Virginia), Pacific Institute (California), Shavano Institute (Michigan), and Rocky Mountain Institute (Colorado). These regional think tanks attempt to do on a local level what the conservative Washington think tanks have done on the national level—monopolize political discourse in the mass media. They inundate the media with press releases, send thousands of op-ed pieces to newspapers, volunteer speakers for talk shows, and provide sound bites for television programs. They do little genuine research.

Reagan administration appointees who have not returned to government are the stars of these think tanks. Linda Chavez, former staff director for the U.S. Civil Rights Commission, is with the Manhattan Institute; former U.S. Department of Education appointee Mitch Pearlstein heads the Center of the American Experiment; Richard Allen, T. Kenneth Cribb, and Ed Meese joined the Heritage Foundation; former national security adviser Robert McFarlane and former State Department staffers Stephen Sestanovich and Leo Reddy went to the Center for Strategic and International Studies (CSIS); Elliott Abrams and Frank Gaffney, Jr., joined the Center for Security Policy; and the American Enterprise Institute (AEI) gave shelter to over two dozen high-level Reagan appointees.

According to a study by Fairness and Accuracy in Reporting, an organization that monitors the news media, two of these conservative think tanks provided a disproportionate number of speakers for the "MacNeil/Lehrer News Hour." The CSIS provided "experts" on foreign policy, while the AEI provided "experts" on domestic policy. A University of Minnesota study released last year found that these think tanks also supply the network news programs with a large percentage of their "political analysts." Former and current AEI spokesmen William Schneider, David Gergen, Norman Ornstein, and Richard Perle appeared 138 times on the network evening news during 1987–88. CSIS representatives made over a hundred appearances on network newscasts during this same period. Viewers were informed that they were listening to "experts," "analysts," "political scientists," or think-tank representatives. Not one was identified as a political partisan.

Conservative think tanks received substantial assistance from the Reagan and Bush administrations, corporations, and the mass media in their bid to become the dominant discussants of public policy. During the early 1980s, the Reagan administration withheld government grants from think tanks that were left-of-center, forcing them to reduce their activities, go under, or shift rightward. The Urban Institute, which was created in 1968 to conduct independent analyses of Great Society programs, offers an example of how the Reagan strategy worked.

President Johnson provided the Urban Institute with $6 million in federal housing funds to get it off the ground. By 1981, the institute was conducting

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$12 million of government-sponsored research a year. In 1982, the Reagan administration cut government funding to the Urban Institute by $9 million, forcing the Institute to change its focus. Once it hired Republican economists and concluded that economic growth, not federal social programs, was the key to narrowing the income gap, funding somehow increased. By 1987, the Urban Institute was receiving about $5 million from the U.S. government and an equal amount from sources like the Ford and Rockefeller foundations. Edwin Feulner, Jr., president of the arch-conservative Heritage Foundation, describes the Urban Institute's current outlook as "Republican centrist."

Another example of a rightward shift is the Brookings Institution. During the 1960s and 1970s, this think tank developed a left-of-center label because its president, Democrat Kermit Gordon, was a respected scholar, supporter of the Great Society, and critic of the Vietnam War. Under his leadership, Brookings developed a reputation for solid research. It is Brookings's reputation that the conservative think tanks feed off. The Heritage Foundation, American Enterprise Institute, Institute for Contemporary Studies, and others pretend to do the quality research that Brookings once did.

Brookings's left-of-center stance under Gordon, however, was an aberration in the history of the think tank. Prior to the 1960s, Brookings was referred to as CBI rather than BI by Washington insiders. CBI referred to the Conservative Businessman's Institution, which reflected the institution's outlook and funding between 1916, when Brookings was established, and 1967, when Gordon became president.

Since 1977, Brookings's president has been Bruce MacLaury, a deputy Undersecretary of the Treasury during the Nixon administration. In 1981 MacLaury hired Roger Semerad as an executive vice president. Semerad's credentials were that he served as a White House staff assistant following the Watergate scandal. Semerad became Reagan's Assistant Secretary of Labor in 1985. And Brookings's most visible spokesman is Stephen Hess, a former staff assistant to President Eisenhower, deputy assistant for urban affairs to President Nixon, and editor of the 1976 Republican National Platform.

With leaders such as these, it is not difficult to understand why 160 corporate donors gave Brookings $2.2 million in 1989. The gifts came from such firms as Exxon, Lockheed, RJR Nabisco, General Motors, Seagrams, and Dow Chemical. Leading the list of contributors were media corporations, which drew heavily on Brookings for "liberal" opinions and sound bites: Capital Cities/ABC, Cox Enterprises, General Electric, New York Times, Time, Inc., Times Mirror, and the Washington Post Company.

Brookings wasn't the largest recipient of corporate aid among think tanks. Three that are even farther to the right received more. Fifty-four percent of AEI's $10 million 1988 budget came from corporations. One third of CSIS's $9 million budget came from corporate coffers, as did $2.5 million of the Heritage Foundation's $14.6 million budget. The largest share of Heritage's contributions came from conservative fat cats like Adolph Coors, Richard Mellon Scaife, Union Pacific chairman Drew Lewis, Amway chairman Jay Van Andel, investment banker Shelby Cullom Davis, and Lewis Lehrman. All of these contributions are used as tax write-offs because the think tanks are nonprofit and tax exempt.

The annual budget of any one of the conservative think tanks exceeds the combined budgets of all left-of-center think tanks. With so many resources, the right-wing think tanks should be able to conduct very serious research, but they don't. The problem isn't that their research is highly partisan—one would expect it to be—it's that they try to pass off rhetoric as research. The difference between rightist thought of the past and think-tank output is that the former was presented at American Legion halls on Friday nights with beer, while the latter is sandwiched between very expensive covers and called "research." Nor is this criticism of think-tank research expressed just by the political left; it is constantly voiced by everyone who conducts legitimate research.

In 1986, Georgetown University president Timothy S. Healy initiated an academic review of the Center for Strategic and International Studies, which was then affiliated with, but not under the control of, the university. The review examined the scholarship of CSIS's fellows, who, like most think-tank denizens, spent more time doing sound bites than serious thinking. CSIS attempted to derail the review by charging that it was politically motivated and, when this was shown to be false, arguing that the review was pointless because "the university is not a top-flight university."

Healy appointed a committee of five highly respected academics from outside the university to review CSIS's work. The committee concluded that the center was not committed to traditional academic scholarship. After reviewing the committee's report, the Georgetown trustees voted to sever relations with CSIS.

The verdict of the Georgetown trustees is repeated in almost every academic review of think-tank research. For example, AEI "resident scholar" Joshua Muravchik's dissertation, which is distrib-

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uted by AEI as a book entitled *The Uncertain Crusade: Jimmy Carter and the Dilemmas of Human Rights Policy,* was described by the *Journal of American History* as perplexing, "not so much its use as a doctoral dissertation but its acceptance as a piece of scholarship by the Georgetown faculty. The book can stand on its own as an essay on a first-rate subject. But despite its many footnotes it has no scholarly foundation. . . . Muravchik is reduced to a few interviews and to quoting Elizabeth Drew, Ben Wattenberg and Stanley Hoffman." The dissertation was written under the tutelage of CSIS adviser Jeane Kirkpatrick before the think tank was separated from Georgetown. Not surprisingly, the book echoes Kirkpatrick's discredited theory about the reformability of right-wing dictatorships and the intractability of Stalinism.

Sir Alan Walters, an AEI senior fellow, wrote *Britain's Economic Renaissance: Margaret Thatcher's Reforms*. Walters was for several years an economic adviser to Thatcher. *Political Science Quarterly,* the only academic journal of note to review the book, described it as an "exercise in self-justification" containing "misrepresentation." *The Media Elite,* a book coauthored by AEI "scholar" S. Robert Lichter, was panned in the *Journal of Communication,* the *Quarterly Journal of Speech,* the *Journalism Quarterly,* and other academic journals.

Although the research of conservative think tanks often is not serious, their lobbying efforts on behalf of corporate contributors are. In addition to their tracts promoting capital gains tax cuts, deregulation, and unrestricted capitalism, these think tanks engage in some donor-specific projects. The Heritage Foundation, which received more than $3 million of its $18 million endowment from Taiwanese corporations, has been active in promoting issues of concern to Taiwan businesses. Heritage escorted congressional staff members to Taiwan, sponsored conferences on U.S.-Taiwan free trade to which it invited U.S. policymakers and the media, and promoted the idea of a "Free Trade Area Agreement" with Taiwan, similar to that which the United States has with Canada. It publishes pamphlets, such as *U.S. Policy Toward China's Reunification,* that promote Taiwan's positions. Heritage leaders also travel frequently to Taiwan to consult with government and business leaders.

Two of the Taiwanese corporations that donate to the Heritage Foundation also give large sums to the American Enterprise Institute. Since receiving these donations, AEI has sponsored conferences, seminars, and publications that promote Taiwanese positions. AEI sponsored two large conferences to which Washington officials were invited. One praised the emergence of "democracy" in the capitalist East and the second examined security in Asia. The Asian security conference was held in Taiwan. AEI also held four seminars about Taiwan issues. Chong-Pin Lin, AEI's associate director for China studies, who is a Taiwan national, wrote a book that "focused attention on the People's Republic of China's arms buildup," according to AEI promotional literature. Despite their apparent interest in Taiwan, AEI "scholars" have been silent about that country's political prisoners and rigged National Assembly elections.

Although information on the shallowness of think-tank research is available to the mass media, their reporters appear to have turned their backs on it in order to get easy access to a sound bite or quote. Rather than, or at least in addition to, asking think-tank representatives for opinions, they ought to be asking these "scholars" about think-tank funding and lobbying. That's where the real story is. □

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Cynthia Fuchs Epstein

IN PRAISE OF WOMEN WARRIORS

In the last days of the Gulf War, a newscast on National Public Radio reported that trucks and other transport flown into the Kuwaiti theater had come from Eastern European countries. That would be news in itself. But the further news was that many of the pilots of the large transport planes ferrying these vehicles were women. A positive outcome of this war has been to demonstrate how women have been able to do jobs normally reserved for men.

Some of my feminist colleagues at Stanford University, where I am spending a semester, are not happy with such news. Many of them were against the war. They do not regard women's integration into armed conflict as progress. They were upset to learn that three of the soldiers killed were women. The symbolism of women succumbing in battle disturbs their confidence in women's supposed special qualities of pacifism, caring, and nurturance, as well as their view of women as lifegivers, not lifetakers. From one perspective this is a worthy point of view. Who can oppose commitment to caring as against destruction, and life as against death?

But should this uniquely be women's mission?

What about an earlier commitment by many mainstream feminists that equal rights are the goal of the women's movement, and that equal rights entail equal responsibilities? Some feminists no longer advocate the idea that "rights" are the proper emphasis for women, nor that women's entry into roles once exclusively male a proper goal. Such roles attached to them are seen as in conflict with the values traditionally associated with women. And even the very notion of "rights" has been labeled a "male value," focusing on issues of autonomy and independence of the individual rather than connection and relationships among people.

These entwined issues are difficult to sort out, and engage the passions of feminist scholars. Those of us who place ourselves in the tradition of liberal theory, advocating equal access and equal treatment for women, find ourselves pitted awkwardly against those writers who claim women ought to receive special consideration, whether prohibiting them from combat or being given favorable considerations in divorce settlements or pregnancy leave. (We prefer that divorce settlements be based on need, not sex, and that general rules on disability cover pregnancy.) We argue that special protections have always resulted in diminished opportunities for women. Removal of restrictions would better serve the goals of equality. We worry that special treatment reinforces the stereotypes of women as incapable of functioning in the public realm and taints the obligations of family and child care as uniquely woman's work.

We don't believe that women are specially privileged or situated because they are products of a "woman's culture" or that women have a special "way of knowing" or a special set of personality traits. The evidence collected by such respected scholars as Alice Eagly and Kay Deaux seems to indicate that men's and women's cognitive and emotional attributes are rather basically the same but that sex-segregated training or social controls emphasize some capacities more than others—a remediable condition.

The renewed focus on differences between the sexes has a new political cast. It is ironic. Who would have ever thought that "rights" would become a dirty word, or a dirty thought? Yet in the anticanon canon of a number of "politically correct" feminists on many campuses today, "rights" have been cast as a male concept, characterized by abstracted notions of justice that they claim do not meet the needs or character of women.

Has the movement of women outside the accepted cubicles of segregated workplaces created a mutually reinforcing backlash not only among the biased male gatekeepers of the past but also among a subgroup of feminists? Wendy Kaminer has suggested that the movement toward equality has brought to women a "fearful freedom" (the title of her new book) and sees in the assertion that women need special protections because of their special vulnerabilities, a flight from equality.

Some time ago Jean Bethke Elshtain wrote in *Dissent* about the images of male "just warriors" and female "beautiful souls." This polarization has long provided a legitimation for the aggressive behavior of men, who are supposed to defend and support maidens and children. These days we are seeing new advocacy for the idea of women's "beautiful souls" in society, leaving men to be the warriors—at the front in war, and in business and the justice system as well. Although many feminists are rightly asking for the restructuring of social institutions along more humanistic lines, other feminists are advocating that women avoid male spheres or radically alter them according to principles defined as "feminine."

Why should any sphere be labeled male or female? Why insist that men and women exhibit different emotions? Why not encourage our women

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to be aggressive when a situation calls for aggression and our men to be "caring" when that is the appropriate emotion?

Clinging to the ideal of a beautiful soul has not helped defenseless women, who often have been the most tragic victims of war, tortured and raped by marauding armies, unable to protect themselves. Often, in the aftermath, the men and women in their very own communities regard the victims as tainted by the atrocities they have experienced. Indeed, one need go no farther than our own society to see how marital abuse thrives in families where the wife's identity has been shaped by images of passivity and the lack of a sense that she has a right to her own integrity.

Equality for women may mean that some women will become warriors, and some will inevitably die in combat. That is tragic, but it is right so long as men must also die this way. Many women would best be served by the motto "Never Again" on the war front as well as the home front. Give them the training and resources to fight alongside men, IF fighting is what we need to do to defend the values we hold dear. Let defense, assertiveness, and integrity be known not only as male but as female; better still, as human. We do not need or want our men to be Rambos but we are happy for them to be Eisenhowers; we do not need our women to be Rambos either, but a Joan of Arc or a Boadicea would serve as a fine role model. □

Nicolaus Mills

A SECOND LOOK AT THE KITTY KELLEY CASE

Kitty Kelley doesn't need defenders. The controversy surrounding her *Nancy Reagan: An Unauthorized Biography* has made her rich (or at least famous) for life. But as the controversy fades from the headlines, we need to take a second look at the hypocrisy it conceals. By treating Kelley's journalistic ethics as if they were unique to her, we have made her a scapegoat and diverted attention from a serious question: how did we get to a point where a book so long on innuendo and so short on verifiable fact could command this much attention?

The easy answer—we live in an age of gossip—won't wash. Of course our love of gossip and the idea of bringing down an ex-president's wife help a book like Kelley's. But what has made Kelley's book the source of so much media interest is not just gossip. It is the legitimization by mainstream writers of a set of reportorial ethics that Kelley has pushed to the extreme.

The legitimization I am talking about began in the 1960s when the new journalism brought the techniques of fiction to reporting. Suddenly reporters no loner felt confined to telling what they saw or what their subjects said they saw. It was now permissible for a reporter to climb inside a subject's head and, like a novelist, write as if he or she were that person. In the hands of a Tom Wolfe, the journalistic results were often brilliant. Readers were taken inside the heads of everyone from stock car drivers to Vietnam pilots. But at the same time a line was crossed. The felt truth took precedence over a precise rendering of what happened and how a reporter came to witness an event.

A decade later during the Watergate scandal, a second major journalistic change took place. Trust journalism—and with it the notion that a reporter didn't on occasion have to reveal sources (even to an editor)—took on new legitimacy. In their Watergate articles *Washington Post* reporters Carl Bernstein and Bob Woodward turned out to be so accurate that they helped force a president from office. But in insisting that Deep Throat, Woodward's source for much of his information, would forever be a secret, the two men paved the way for countless reporters asking readers to take them at their word on stories in which there was no compelling reason for trust journalism. When the *New York Times* decided to reveal the name of the woman who accused William Kennedy Smith of raping her, its story contained the allegation by an unidentified acquaintance that the woman had "a little wild streak." What motives or basis the acquaintance might have for making such a statement were never disclosed. *Times* readers were simply expected to trust that the reporter had good reason for using a blind quote.

In the case of Deep Throat, identity wasn't finally an issue. It didn't matter if Deep Throat was a lone government official or several government officials rolled into one. That is not the case, however, in all too many stories in which composite characters are routinely passed off as a single character. In the 1970s, *New York* magazine gained notoriety for itself when its editor decided that a story about a prostitute known as "Redpants" would flow better if readers were not told that she was a composite. But even today, when such concealment would not be tolerated, composite stories represent a terrible danger. We don't know if a composite character is an exaggeration rather than an accurate summing up, and we don't know if a reporter is doing a composite

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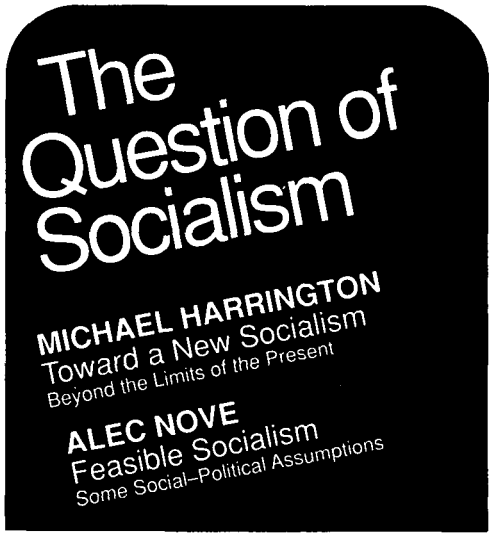
story to get at a larger truth or because the reporter was faced with a dearth of material at deadline time.

The biggest change of all in journalistic standards is, however, reflected in a case the Supreme Court is currently deciding whether or not it will hear. *New Yorker* reporter Janet Malcolm is now defending herself against the charge that statements she attributed to a psychiatrist she interviewed (the statements do not appear in the forty hours of taped interviews she conducted) were never really made. What is significant in this case is the logic the United States Court of Appeals for the Ninth Circuit used to uphold the claim by Malcolm and her lawyers that she should not be held for libel. Inexact quotations are permissible, the court ruled, as long as they are "rational interpretations of ambiguous remarks" or do not alter "the substantive content of unambiguous remarks." In short, a quote no longer has to be a quote. Reporters can put words in a source's mouth if they can establish that they had reasonable bases for believing the nonverbatim quotes were what their sources intended to say.

All of which brings us back to Kitty Kelley. It's great fun going after a writer like her. We get a chance to enjoy the dirt she digs up, and at the same time we get to feel superior. The problem is that in the weeks and months to come, when Kelley is no longer headline news, the journalistic climate in which her book flourishes will still be with us, doing more damage than she ever has. □



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Brian Morton

THE GULF WAR—ONCE MORE

During the Gulf War, we heard a lot about the "simplemindedness" of the peace movement. But was it so simpleminded, really? Many of us who supported a policy of sanctions and multilateral containment did so not because we were naive about Saddam Hussein's malevolence but because we believed this policy could deter two evils—the evil of Hussein's expansionism and the evil of war. In retrospect, perhaps it is those who supported the war who took refuge in simplifications.

Let me use the example nearest to hand—*Dissent* magazine. In the Spring issue, *Dissent* carried seven brief comments on the war, three supporting it and four opposed. None of those who wrote in support of the war made any serious acknowledgment of the hypocrisy of the Bush administration—which invaded Panama with no more justification than Iraq had for invading Kuwait, and which enlisted as coalition partners countries that maintain occupations no more legal than Iraq's. Whatever caused the Bush administration to go to war, principle had nothing to do with it.

Perhaps one could have made a case for the war even while recognizing problems like this. Perhaps a war can be worthy of support even if the government launching it has hypocritical motives—as Timothy Garton Ash put it, the fact that three murders have gone unpunished does not make it wrong to punish a fourth. But instead of recognizing the complexities of their position, the *Dissent* editors who supported the war tended to gloss over them. Michael Walzer, mindful of the fact that a war cannot be called just unless other means to resolve the conflict have been explored exhaustively, wrote that "there was a lot of negotiating between August and January." In fact, from August to January the Bush administration explicitly proclaimed that there was "nothing to negotiate." That this was a view firmly held by Bush—not merely a tough public stance veiling behind-the-scenes diplomacy—was confirmed recently by Bob Woodward's book, *The Commanders*, which reveals that in early November, Bush rejected Colin Powell's suggestion that Iraq could be forced out of Kuwait through a strategy of sanctions and containment. Bush wanted war.

Irving Howe began from the apparent premise that Hussein was uncontainable by normal methods of deterrence. Given this premise, his conclusions were inevitable. "What shall be done about the frightening prospect that the thug who rules Iraq . . . might soon have nuclear weapons? To such questions neither we nor our friends in the antiwar movement provide sufficient answers." Howe called for the defeat of Hussein and the destruction of his weaponry. Does this mean that, in Howe's view, George Bush provided sufficient answers?

The peace movement had a more sophisticated grasp of the situation than Howe did—the more intelligent parts of the peace movement, at any rate: those who advocated a policy of sanctions, containment, regional disarmament measures, and an embargo on military technology to Iraq. They saw, as clearly as Howe did, that Saddam Hussein was a thug, and that his expansionism required a firm international response. But they also saw that George Bush, in pressing for war without exploring the alternatives, was also being thuggish. Those who supported a policy of sanctions were trying to tie the hands of *two* thugs. Were they wrong?

How many Iraqi civilians died, as a direct or indirect result of U.S. bombing? How many soldiers, killed as they were retreating, in what one U.S. soldier famously described as a "turkey shoot"? For months we heard reports of Iraq's exotic weaponry, but as it turned out, the United States had the advantage here. During the last days of the war, the United States battered Iraqi troops with napalm—*napalm*!—and with fuel-air explosives, which cause death by incineration and asphyxiation. In Iraq, parts of which still have no electricity or running water, there are reports that children are dying of cholera. According to U.N. estimates, between one and two thousand Kurds are dying every day in refugee camps, after an unsuccessful rebellion that was cynically encouraged by the United States. In the words of the Iraqi exile Samir

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al-Khalil, a longtime enemy of Saddam Hussein: "For the Iraqi people, the cost of enforcing the will of the United Nations has been grotesque. . . . There are two moral questions here: the wanton quality of the violence over and above what was required to dislodge the Iraqi army from Kuwait; and second, the disproportion between the amount of violence used and the values supposedly being upheld."

Walzer, then, supported the war because he wanted Iraq evicted from Kuwait. He ignored the fact that other means to evict Iraq were never seriously tried. Howe supported the war because he feared what Hussein might do if, five or ten years down the line, he developed nuclear weapons. He ignored the pretty well-established historical lesson that governments that launch wars to prevent hypothetical future wars are usually up to no good. Dissenting intellectuals should have a habit of skepticism about the good intentions of *any* government. What was striking here is that Howe and Walzer exhibited almost no skepticism about the U.S. government's motives as it pushed toward war.

Some people who supported the war have come to regret their support. Anthony Lewis, for example, in a sober retrospective, said this: "Is the world a safer or better place after all the high moral talk about the purposes of the war? I think not. Sanctions might not have forced Saddam Hussein out of Kuwait any time soon. But this was not Munich. We had drawn a line. He could go no farther, and the world was virtually as one in exerting pressure against him."

If I understood Michael Walzer's article "Perplexed," which appeared in the *New Republic* before the war began, he too, by his own standards, should now regret his support for the war. Discussing questions of proportionality, he wrote, "No one would choose a war that brought millions or even hundreds of thousands of deaths . . . merely for the sake of Kuwaiti independence." The most conservative estimates have it that more than a hundred thousand Iraqis have died. Does Walzer now think that the war was a mistake? If he does, he should say so; if he doesn't, he should explain why casualty figures that he had once found unacceptable seem acceptable to him now.

I've been looking through my file of articles about the war, trying to find some telling quotation to end this piece with. But finally I think the best summation of the U.S. role in this war was written by F. Scott Fitzgerald, in his description of Tom and Daisy Buchanan in *The Great Gatsby*. "They were careless people . . . they smashed up things and creatures and then retreated back into their money or their vast carelessness, or whatever it was that kept them together, and let other people clean up the mess they had made. . . ." □

Michael Walzer Replies

Brian Morton poses a direct question to me, so I had better respond. But I will begin by turning the question around. Journalists now in Baghdad are reporting that damage to the city is much lighter than we were led to believe and civilian casualties remarkably low. And the figure cited by Morton for Iraqi military casualties is, it's now said, a statistical inference based on a very considerable overestimate of the number of Iraqi soldiers who were in Kuwait; the actual number of deaths is almost certainly lower. Good news—no? Now, will Morton reconsider his opposition to the war? Of course, he won't, for his moral and political judgments, like mine, are not mathematically determined. The point of my *New Republic* article, unnoticed in his letter, was that the proportionality argument doesn't help us much, because no one can say what losses would count as proportionate or disproportionate (to what—Kuwaiti independence, the defeat of aggression, the deterrence of future aggression?). The argument works only in extreme cases, and this case was not one of those.

Two further comments, now that I have started. The reference to Kurdish deaths seems odd to me, since they are the result of Iraqi tyranny and repression, not of any American decisions. Had the embargo "worked" and, in a year or two, severely weakened the Baathist regime, there would probably have been a Kurdish rising and a bloody civil war. Does that count in Morton's mind against the embargo?

Morton seems offended by the impure motives of the Bush administration, to which he returns several times in a short letter—as if he has adopted some Christian or Kantian doctrine of the good will. I don't believe in my own good will, let alone George Bush's. What counts in politics is action. And what Bush *did*, over some five months, was to offer Saddam Hussein one opportunity after another to withdraw from Kuwait with his power intact. Had Saddam seized these opportunities, we would now be preparing for a future war rather than arguing over a war just past. I prefer the arguments. □

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E. P. Thompson

LIBERAL COMPLACENCE

REFLECTIONS ON THE REVOLUTION IN EUROPE, by Ralf Dahrendorf. Times Books, 1990. $17.95

"A very perfet gentil knight"—Sir Ralf Dahrendorf was born in the Weimar Republic, the son of a Social Democratic deputy in the Reichstag who suffered imprisonment under Hitler; he himself studied and taught at several Western campuses, entered West German political life, and graduated to being a European commissioner in the early 1970s, thence moving to Britain, where he was appointed director of the London School of Economics, ending up as warden of St. Anthony's College, Oxford, where he now is.

It was difficult to extract myself from that sentence, but Dahrendorf's life has been like that, one thing leading into another just as the pages of this meandering book do. On the way from there to here he has written several somewhat heavy and prestigious books, on class and social conflict and on economics in their special bearing on constitutional questions. He is an exemplary modern European, and he has never not been a successful one.

He has written these *Reflections* in the form of a letter to a friend in Poland, a letter which turns this way and that until it touches upon most aspects of polity and government in Europe subsequent to the revolutions of 1989—most things, that is, in the formerly communist states of East and Central Europe, now working their passage back to the rest of Europe. For the most part Western Europe is presented as a beneficiary of the East's revolutions, not as a participant. On occasion West Europeans have had to cope with emergencies of external origin, such as hordes of refugees flooding into their territories or walls suddenly being pulled down, but these have not been of the West's making. West Europe can be trusted to muddle on, adopting a tactful missionary role toward the East.

In this Dahrendorf is a characteristic Western intellectual, who supposes himself to be liberal and who in important respects is. They are—we all are—well-intending spectators of the dramatic changes on the other side of the continent. In 1989 some observers got vicarious excitement from going over, sitting in the Magic Theatre in Prague or claiming to be on first-name terms with Vaclav. (No Byronic or Lincoln Brigade heroics were required.) Dahrendorf's picture of the course of the revolutions in Central Europe follows closely upon the excited narrative with which Timothy Garton Ash regaled the readers of the *New York Review of Books:* there is the same dependence upon metropolitan journalists and intellectual circles for all information, the same lack of curiosity about the role of the students during the Prague days and about the means by which the critical adherence of the nation's workers was brought to the revolutionary cause. It has been an exciting and trendy scene, and a lot of people have been over there, not as comrades in a common cause but as *voyeurs*.

What does not appear to have crossed Dahrendorf's mind is the possibility that the fearsome standoff between East and West—the most elaborate and sustained investment of advanced resources in the means of destruction known to history, a small part of whose capacity we have just witnessed in the Gulf War—was the co-responsibility of both parties. Hence he has scarcely a line of speculation as to what the consequences might be of one party's withdrawing from an adversary posture (which is in effect a large part of what the revolution was about) and what might be the opportunities for response on the part of the other party. Hence he is only reflecting on one-half of a revolution and not on what the West could contribute to its completion. The result gives rise to complacency, a self-congratulatory tone.

Dahrendorf abhors system, which does not make for systematic exposition. Instead he sketches a few points of supreme political reference—Edmund Burke's *Reflections on the French Revolution,* Madison's *Federalist,* Popper's *Open Society*. His Polish friend is advised in awed terms never to move beyond these bounds.

This is scarcely an original argument. One has heard it for some forty-five years, although rarely in

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as civilized and well-informed a tone. Liberalism has long been sapping own energies by setting up on all sides an elaborate defensive system against enthusiasm, idealism, and—very heavily in this book—"utopianism."

This is very much the flavor of the European month. People pride themselves today on their street wisdom and compete with each other in their disenchantment. One can understand it in such a writer as Hans Magnus Enzensburger, who took principled issue with the small fractions of terrorism in the West German and Italian "left" in the sixties, and who is watchful of such irrationalisms reemerging. But Dahrendorf surely misunderstands what utopianism is. Utopianism is not a form of politics, a political program. It is the political expression of the imaginative faculty. It is more akin to poetry than to calculation. To promote any form of social change, one must first imagine the alternatives; and utopianism imagines what might be as a means of criticizing what is. Dahrendorf sees this without qualification as a threatening faculty:

> We must beware of Utopia . . . Utopia is in the nature of a total society. It may exist "nowhere," but it is held up as a counter-project to the realities of the world in which we are living. Utopia is a complete alternative, and therefore of necessity a closed society.

On these skimpy philosophic grounds we are discouraged from searching for radical social alternatives and turned back into the Eurotechnocrats' world of piecemeal social engineering, Eurocurrency reform, the business of Strasbourg and Brussels.

Moreover, Dahrendorf carries his anti-utopian argument further, into the matter at the center of his book: the new form which might be taken by East-West relations and reconciliations. Is a "Third Way" possible between capitalism and communism? "No," is his unusually sharp answer. That, he says, is because it is the wrong question. It confuses the true choice, between an open and a closed society. Indeed, we should beware of even an "intercultural dialogue" between the systems: "the very idea needs to be quashed." "It is wrong because it is another version of system thinking, and thinking in terms of systems lies at the bottom of illiberalism in all its varieties." We remember that Allende offered a Third Way, or at least a different way, and he also had to be "quashed."

But Dahrendorf repeatedly gets himself into self-contradictions. If the "open society" (which Dahrendorf more or less equates with "market society") cannot coexist with any part of the socialist "system," then it must be itself in that respect a closed system also. So that this is old cold war ideology (Only Two Camps) dressed up once again as liberalism. Later in the book, in an informative discussion of "the German social market economy," Dahrendorf appears to forget himself when he writes of it as a "hybrid"—and some of the ideas and the institutions contributing to this hybrid undoubtedly came from the European socialist tradition. Yet he exclaims triumphantly of the German compromise: "The open society wins." One might suppose that this was a case for encouraging, not for quashing, more intercultural dialogue.

What is all this about? Does it matter if one envisages one, two, three, or more ways? Must a victory for one way be a defeat for the other? As we can see, to cold warriors of both sides it matters a great deal. For them compromises between systems are not only undesirable, they are categorically impossible. The Marxist expects a watershed to be passed—"the Revolution"—after which laws, forms of ownership, social organization, all run in a socialist direction. The militant capitalist—the partisans of Hayek (whom Dahrendorf himself rejects)—sees almost every form of state regulation of private wealth as a systemic threat. One reason that the European Revolution of 1989 failed to realize its possibilities was because of the weight of admonition on all sides—but especially from the West—warning that these possibilities did not exist. The small underresourced contingents of "utopians," East and West—peace movements, Greens, feminists—who tried to communicate across the "system's" borders (whether physical or ideological) and to work out programs for common adoption, which sometimes looked to a different way, were swept aside by planeload after planeload of Western advisers, diplomats, bankers, academics, and voyeurs, who brought the dogmas of "the market society" and who are bringing Eastern and Central Europe, amid mists of liberal rhetoric, under a new kind of subjection.

I consider that in 1989 the people of Eastern and Central Europe had by their own efforts almost opened up their own societies for their own trial and experiment and that it was Western advice and more blatant interventions that promptly closed those opportunities down. But Dahrendorf has almost nothing to say about these distorting forces. His view of the political process is of a club of technocratic realists who, when not distracted by "utopians" or by the intrusion of external social forces (perhaps nationalisms) can argue out their preferences in calm committees. He does not reflect much upon the sources from which the innumerable invasive social forces of this century have arisen,

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and are likely in the future to arise. Nor does he give the impression of close acquaintance with the active ("grass-roots") ingredients of democratic process: the democratic practices known to him are at a higher and more formal level: the Bundestag, the European Commission, the University Senate committee. The project, still supported by some members of Charter 77 in the Czech government, to activate a "Helsinki" citizens' process from below, does not meet with his support.

The dominant Western strategy now is the attempt to remodel the economies and polities of Eastern and Central Europe in subordinate ways convenient to Western money. This is not beyond some correction and control in Western legislatures, and a major actor—Germany—is responsive to democratic pressure. I remain unconvinced by Dahrendorf's forecast (which is essentially of a Westernizing of the East, as it becomes a market society, with no reciprocal process) because the people of the East have not been brought fully into the discourse yet. However miserable as well as mendacious the performance of communism was, it floated upon a rhetoric of security, full employment, and certain norms of free health, women's rights, education, and cheap housing; there were failures and loopholes everywhere, but people complained of these in terms of the régime's own rhetoric; the workers of Gdansk in 1981 were not demanding private medicine or deregulated housing. When the full meaning of the market society hits East and Central European working people, as it is beginning to do now, we will see whether their consciousness and expectations have changed in any significant ways in the past fifty years. I do not see them reproducing the platforms of the American Republican party or the British Conservative party.

If the European "Revolution" is to be fulfilled there must be fluent citizen participation, in which Americans must take part as common participants in shared projects, not as voyeurs or as dispensers of liberal charity. In Europe itself we must act in more imaginative ways to give a common voice and a common heart to our continent: that means much attention to education, to investment in languages, travel, exchanges of all kinds, music. Dahrendorf will scowl at the last. His Polish correspondent is concerned lest the "Revolution" and the ending of state subsidies should bring to his country declining artistic and musical standards, a growth in pornography, and so on, and he is scolded with the dogma that all must be left to the market. If one is trying to put a broken continent together there might be other ways of encouraging, but not forcing, a culture. In any case, what on earth makes Dahrendorf suppose that the music of Bach, Beethoven, and Mozart was produced by a "market"?

In all of this I may have done Dahrendorf injustice. I am glad that he did not catch an upper-class British tone when he took British nationality, but there is something "teutonic" in his complacency and refusal of imagination that annoys me. In my years of intensive activity alongside East and West Europeans in the cause of peace, the warden of St. Anthony's College has never fallen in my way. I have been dimly aware of a more august circuit of conferences, in schlosses, gorgeous villas, and institutes, sponsored by NATO or national governments, where no doubt he has been an esteemed performer. But this is the somewhat trivial objection of the outsider. I must make it quite plain in conclusion that he does discuss some of the more difficult questions of our time, his discussion is honest, and his book deserves to be read. □

George M. Fredrickson

WHAT IS THE NEW HISTORY?

THE NEW AMERICAN HISTORY, edited by Eric Foner for the American Historical Association. Temple University Press, 1990. 292 pp. $39.95 hc; $16.95 pb.

The thirteen essays in this volume were originally commissioned by the American Historical Association as a series of pamphlets to acquaint schoolteachers with the latest trends in historical writing about the United States. The contributors are well known and highly regarded specialists on various subfields of American history. Individual essays vary in the extent to which they attempt to synthesize recent scholarship in a comprehensive way. At one extreme, Sean Wilentz makes "the market revolution" the central and unifying theme of the period 1815 to 1848. At the less ambitious end of the spectrum James Shenton provides little more than a bibliographical essay on the recent scholarship concerning ethnicity and immigration. But the general quality of the essays is high; they will be of value not only to high school teachers and to general readers who wish to know what academic historians are currently doing but also to graduate students and professors of American history. Because most university historians specialize in the subject matter of only one or two of the thirteen periods or topics covered, they will learn a great deal about what is

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occurring outside their own bailiwicks. As someone who has worked mostly on the nineteenth century, I found the essays on earlier and later periods especially illuminating.

There is no way for a reviewer to do justice to the individual essays. Taken as a whole, however, the volume offers an opportunity to reflect on the "new American history" that has emerged in the past twenty years or so and to contrast it with the dominant historiography of the preceding era. Before the 1960s, most historians focused on the thought and action of white male elites; the new history is characterized above all by a shift of attention to the behavior and outlook of the masses of people excluded from the corridors of power: to working classes, minorities (especially blacks), and women. The primacy of social history or "history from the bottom up" is reflected not only in the fine essays on social history, African-American history, women's history, and labor history, but also in the discussions of historical work on specific periods that cover major political developments.

According to Eric Foner, for example, the new scholarship on the Civil War and Reconstruction demonstrates that blacks played a major role in bringing about their own emancipation and enfranchisement rather than being, as in much of the older historiography, the passive beneficiaries of actions by white politicians and generals. In a striking essay on the colonial period, John Murrin shows that the settlement of English America was not the success story of our national mythology but a catastrophe for most of the people involved, especially Native Americans, blacks, and lower-class whites. In short, we are beginning to get a history of the triumphs and tragedies of the entire American population and not just of the relatively privileged and powerful.

Another obvious feature of the new history is its stress on dissensus and conflict. In the period between World War II and the Vietnam War, historical writing emphasized the consensus that held America together and allegedly prevented the kind of class or group conflict that had bedeviled other societies. Some historians celebrated this "liberal consensus" as the triumph of pragmatism over ideology while others deplored it as parochial and anti-intellectual; but most agreed that the centripetal forces were much stronger than the centrifugal ones. The new historians, many of whom came of age during the contentious 1960s, attack this paradigm and draw attention to ideological cleavages and deeply rooted social conflicts; many of them argue that the "consensus" was really the hegemonic ideology of a dominant group and never fully succeeded in conquering the consciousness of the subordinated social elements.

Under the influence of the New Left, Marxist theories and categories gained new respect in the American historical writing of the seventies and eighties, especially in social history, and several of the essays in this volume reflect this influence; certainly "class conflict" in one form or another is often made a prominent feature of the historical process. But the general tenor of the collection is perhaps better described as "post-Marxist," a term I find more accurate than "neo-Marxist" to describe scholarship that derives substantially from the Marxist tradition but has gone well beyond it. In a cogent analysis of recent trends in social history, Alice Kessler Harris calls attention to the opportunities for historical synthesis that are offered by the new concept of "social formation." This term refers not merely to class but also to the construction of group identities and relationships on the basis of race, ethnicity, or gender. The Marxist emphasis on conflict and the pursuit of hegemony is retained, but the identities and relationships based on economics or forces of production are not all-powerful; those based on other forms of human differentiation have an impact that can stretch the Marxist framework to the breaking point and beyond. Such an eclectic, post-Marxist dissensus model seems to be implicit in several of the best essays in the volume and in a good deal of the most innovative recent historical scholarship.

A third characteristic of the new history, which distinguishes it from traditional Marxist and liberal approaches, is the absence of teleology. Change is no longer viewed as linear or dialectical progress toward the goal of liberty or equality. Reference has already been made to John Murrin's view of colonization as catastrophe. In several other essays the growth of commercial and industrial capitalism is viewed from the vantage point of the losers—semisubsistence farmers and independent craftsmen, for example—and the human cost of economic modernization is stressed more than its benefits. Richard L. McCormick concludes that the "Progressive" reforms of the early twentieth century "did not come close to equalizing influence within American life. The decline of the parties had expanded access to government of the well-organized and the unpoor, but not for others." William H. Chafe provides an equally sobering assessment of efforts to achieve equality in the period since World War II: "Notwithstanding changes in matters of race and gender, the basic alignment of classes in the United States is much the same as it was in 1940 and in recent years has become even more rigid." Toward

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the end of her survey of new scholarship in the dynamic field of women's history, Linda Gordon notes that "there is little evidence of an overall improvement in women's employment status" in recent years despite the enormous increase of women in the labor force.

Little in the recent historiography provides a basis for the revival of a Whiggish or liberal/progressive view of American history as the gradual unfolding of a national dream of freedom and equality for all citizens. Awareness that the efforts of past reformers have come to nought or been betrayed does not necessarily indicate pessimism about the future, but it is sobering to confront a historiography that seems to find so little basis in the past for expecting that tomorrow will be a better day. One has to face facts, but is such an accentuation of the negative always justified? Acknowledging more explicitly what was accomplished by progressive social or political movements, as well as showing what they failed to accomplish, might provide a better balanced, and slightly more hopeful, view. One suspects, however, that historians who identify strongly with struggles for black, women's, or working-class liberation fear that celebration of past accomplishments will decrease the pressure for further changes. Paradoxically, the lack of a progressive past is seen as the spur to a progressive future.

With all its virtues—and they are many—the volume will not satisfy everyone's conception of what topics or fields need to be viewed as part of the "new American history." As a fairly recent immigrant to California, I have a sense that teachers in the Golden State will be distressed by the predominantly East Coast view of ethnic history that one finds here. There is scarcely any coverage of the emerging fields of Mexican-American and Asian-American history. Native Americans make an appearance in essays on the colonial and revolutionary periods, but little is said about them in the contributions on the nineteenth and twentieth centuries. Furthermore, the "new western history," with its view of the frontier as a locus of clashes between diverse peoples and cultures, receives no attention at all. The fact that all the contributors to the volume teach in eastern or midwestern universities may have encouraged what many westerners are likely to consider a somewhat blinkered view of American development.

An equally serious limitation, in my view, is the absence of an essay on intellectual and cultural history. Intellectual history was at the core of the consensus historiography of the fifties and early sixties, and it therefore makes some sense to view the "new history" as a move from a paradigm based on intellectual history to one that draws on social history for much of its sustenance. But intellectual/cultural history has been flourishing of late, and its distinctive approaches have enriched the study of social and political development. To some extent this contribution is acknowledged within essays covering periods or topics, but much of it is not. Somewhere in such a survey one should be able to find a consideration of the work of historians such as David Hollinger, Thomas Haskell, James Kloppenberg, Thomas Bender, Dorothy Ross, Neil Harris, Alan Trachtenberg, Jackson Lears, and John Diggins—to name a few of those who analyze ideas and cultural forms in ways that suggest a revitalization of cultural/intellectual studies.

It is historians of this kind who are currently engaged in a creative dialogue with the postmodernist thought that is having such a powerful influence on other humanistic disciplines. None of them, to my knowledge, has surrendered to the nihilistic notion that history is just another form of fiction, but they are working on the interdisciplinary frontiers of contemporary thought and scholarship to an extent that social historians may no longer be. An interest in epistemology, both in the purely historical sense of how people in the past perceived the world and acquired knowledge of it and in the methodological sense of how historians themselves know what they claim to know, is likely (for better or worse) to increase among historians in the future. I think one can predict that this volume will look old fashioned in a few years because of its lack of any sustained attention to the "new intellectual/cultural history."

I am also tempted to complain that Foner and company slight comparative approaches to American history and should have included a chapter on recent efforts to place American developments in an international context or to make sustained comparisons between American institutions or processes and their analogues in other societies. But a few such efforts do get mentioned in other contexts, and it is arguable that comparative history has not quite emerged as an approach that deserves to be singled out from the kinds of history treated herein that make use of a comparative perspective—social, women's, African-American, labor, and diplomatic.

Despite such lacunae and others that might be mentioned (lack of attention to "the new economic history," recent trends in such specialized fields as legal history and the history of science and technology, and the efforts of some to revive the tradition of political-military narrative), the volume does a reasonably good job of summing up what the

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majority of younger American historians are interested in and what are likely to be their main interpretive assumptions.

Although I share some of these assumptions, I have doubts about others and wonder how they will stand up under criticism during the next few years. The emphasis on "history from the bottom up" and on "social formations" as the engines of change has been a valuable corrective to viewing elites and great men as the main historical actors, but it is possible that the pendulum has swung too far in this direction.

One of the many lessons that historians might draw from the unanticipated events in the Soviet Union and Eastern Europe is that creative and strategically placed individual leaders can make a difference, if not to the main directions of political and social development, at least to the pace and character of major transformations. Does anyone imagine that if Brezhnev had lived for another decade or been succeeded as Soviet leader by an apparatchik of the same mold that the world would have been transformed so suddenly and dramatically as it has since Gorbachev came to power?

The case of Gorbachev may lead one to wonder, for example, if Lincoln's statesmanship was so unimportant in the Civil War era as a reader would be likely to conclude from Foner's essay. There has been no effective refutation of the conclusion of some earlier historians that Lincoln's personal influence as president-elect in the winter of 1860–61 prevented a territorial compromise that might have averted or (more likely) postponed the Civil War. As emancipator, Lincoln was indeed forced into action partly as the result of the initiative of the slaves in deserting the plantations and crossing into Union lines, thereby inviting the government to view slavery as defunct and the freedmen as a source of manpower for the Union cause. But would another president who was less innovative, less politically adept, and more attached to the rights of states and slaveholders on which the antebellum union had been based have responded so effectively to these and other pressures? Is it not at least conceivable that another leader (one thinks of some of Lincoln's rivals for the Republican nomination in 1860) would have tried harder to restore the "Old Union" with results that can only be guessed at but that might have altered the course of American history? At the very least, Lincoln is still worthy of study, and the recent work of one or two prominent Lincoln scholars should have been mentioned.

In his generally authoritative essay on African-American history, Thomas H. Holt fails to mention Frederick Douglass and Martin Luther King, Jr., and makes only passing references to Booker T. Washington and W.E.B. Du Bois. This approach mirrors the emphasis of most social history, but does it do justice to the influence on race policies and ideologies that, for better or worse, individual black leaders have sometimes exercised? As they approach the present, the period essays do place some emphasis on major public figures. Alan Brinkley deems the personal qualities of Hoover and Roosevelt worthy of attention, and William Chafe discusses the leadership of Truman, Eisenhower, Kennedy, Johnson, and Reagan (although, following the current fashion in civil-rights historiography, he downplays Martin Luther King, Jr.).

In an age of powerful presidents who can send the nation to war on their own authority, it is hard to avoid paying some attention to history at the top and to the biographies of our elected monarchs. One does not have to support a return to the great-man theory of history to believe that some of the recent scholarship surveyed in *The New American History* tends to overlook the role that strategically placed individuals can play in responding to the "social formations" that limit their options but do not necessarily determine their decisions. At particular moments the actions of those holding great power affect the destinies of their followers in crucial ways, and it would sentimentalize the past to think otherwise. Two-directional history is superior to history from either the bottom up or the top down.

I also wonder if the dissensus or conflict model has not at times been applied too relentlessly to make sense of the cohesive capacities that American society has often demonstrated. The earlier consensus historiography can be faulted for its failure to account adequately for such conflicts as the crisis over slavery, the labor strife of the nineteenth and early twentieth centuries, and the modern movements for social liberation. The Lockean liberalism that allegedly narrowed the American ideological spectrum does not fully account for the range of disagreement over basic social and economic questions. But it is also significant that the normal idiom of resistance against power, privilege, and injustice has derived from the eighteenth-century language of individual rights rather than from communitarian conceptions that subordinate the individual to the group. A literal interpretation of the most famous phrases of the Declaration of Independence has served as the rallying cry for the most successful reform movements in American history. Whether based on Lockean, classical Republican, Evangelical Christian, Transcendentalist, or modern

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secular-humanist foundations, the standard aspiration of American thinkers and movements has been the freedom, independence, and fulfillment (or salvation) of the individual human being. The fact that these broadly liberal or libertarian assumptions are now being questioned—by "communitarian" thinkers on the political left or those on "the cultural left" who are deconstructing the individual-rights tradition—should not lead to a reading of the American past that denies two centuries of philosophical agreement.

Conflict has resulted mostly from differing conceptions of who is included among those "created equal" and endowed with "inalienable rights".—was it all white men, all native-born men, all heterosexual human beings, or all people regardless of race, ethnicity, gender, or sexual orientation?—rather than from disagreements over the value of personal liberty and equality for those possessing it. There have also been struggles, going back to the Jacksonian period, over whether modern capitalistic institutions frustrate or encourage the liberation and self-determination of the individual. Hence there has been ample room for conflict over the meaning and application of national ideals, but the other side of the coin is that a discursive agreement on the ideals has helped to make these conflicts soluble or at least manageable. Societies where conflicting groups have not shared a common language of aspiration and entitlement, such as France in the 1790s, Russia in 1917, and several contemporary societies that have fractured along ethnoreligious lines, have lacked the capacity for reform and minimal cohesiveness that the United States has conspicuously demonstrated over much of its history. (This is not an argument for American exceptionalism; several other nations have manifested equal or greater continuity and cohesiveness.) That the United States has not had an internal revolution—unless one so defines the reactionary rebellion of the southern states—and has not changed its basic form of government or come close to doing so in more than two hundred years are obvious facts that those assessing the conflict/consensus equation need to take into account.

If the ideals of the eighteenth century served the majority of Americans reasonably well in the nineteenth and much of the twentieth, there seems little doubt that they will have some difficulty meeting the challenge of the twenty-first. The national gospel of individual self-fulfillment could well turn out to be an inadequate foundation for the degree of collective endeavor and curtailment of individual prerogatives that is likely to be required by the environmental crisis. It is also possible that irreversible factors will erode the capacity of the economy to deliver the consumerist satisfactions that are the main contemporary guarantor of the individualist ethos.

We are clearly paying the price for much of the "progress" of the past, and American historians are within their rights to make judgments on past "winners" that take into account what their triumphs ultimately produced. I am less certain, however, that we have a great deal to learn from the past "losers" glorified by some of the new historians. It might be more useful to recognize that the dissenting populist or radical-democratic ideologies were as time-bound and inadequate for the needs of our postindustrial world as those of the modernizers and consolidators. It may be that we can learn something about ecology from Native American or self-sufficient white farming communities and about alternative ways of looking at the world from the pockets of antimodernism that persisted for a time despite the triumph of commercial and industrial capitalism. But I suspect that the most helpful lesson that American historians can teach to those grappling with the impending crises of the next century will come not so much from exalting the alternative Americas of past rebels and dissenters as in showing that the views of all our ancestors were far removed from what our own are likely to be or must become. In this way they will show the need for new political thought, new interdisciplinary perspectives on the human condition, and a growth in cosmopolitan awareness that the problems of the world require solutions that no single nation's special traditions and experiences are able to provide. □

Robert Heilbroner

THE SOURCES OF AMERICAN DECLINE

THE END OF LAISSEZ-FAIRE: GLOBAL ECONOMY AND NATIONAL PURPOSE AFTER THE COLD WAR, by Robert Kuttner. Alfred A. Knopf, 1991. 304 pp. $22.95.

"It is *not* a correct deduction from the Principles of Economics that enlightened self-interest always operates in the public interest." Thus John Maynard Keynes in an essay written in 1926 whose title Robert Kuttner has borrowed for this stunning excoriation and analysis of the damage done, and the ills suffered, as a consequence of the American persistence in that incorrect deduction. *The End of*

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Laissez-Faire is a book that Keynes himself would have relished, rolling his eyes heavenward at the follies committed in the name of preserving capitalism's virtue, never mind the price.

The End of Laissez-Faire does not refer to the end of a reliance on the market system as the principal means of mobilizing and guiding the energies of a modern economy. The laissez-faire in Kuttner's title is a view of the market as a sacrosanct instrumentality, every interference with which must be regarded as the seed of economic error and the embodiment of political sin. It is this credo that Kuttner thinks is finally nearing its end in the United States, which is the only country that still believes it—or, more accurately, it is this credo that ought to be nearing its end, considering the extraordinary price it has exacted for moral rectitude.

In a previous book, *The Economic Illusion* (1984), Kuttner discussed the consequences of laissez-faire for the domestic economic well-being of a nation like the United States. There he came to a conclusion that will neither surprise nor disturb readers of *Dissent,* namely, that such an economy will be subject to the traditional dysfunctions of capitalism, and he concludes that the United States, indeed, all modern capitalisms, will be best served by a mixed economy, in which government uses its fiscal and monetary powers and its regulatory capacity to avoid or to mitigate these misfortunes. I should add that this country has yet to learn Kuttner's lessons. The United States has had the most destructive booms and busts, the worst pattern of income distribution, and the least socially responsible overall management of any advanced capitalism in the world.

In *The End of Laissez-Faire* Kuttner extends his inquiry from domestic to foreign economic affairs, thereby altering the analysis in an important way. For the workings of the international economy are complicated by an element entirely missing within a domestic economy: international economic relationships, by definition, involve the laws and institutions of more than one nation. This brings a new political element into all international economic dealings—"new" because there is always a latent political aspect to economic activity, even in the most communitarian society. There must be rights and rules, privileges and duties in any economy, market-run or collectivist, and the determination of these order-bestowing elements is intrinsically political. But in international economics the political framework involves the rights and rules, privileges and duties of sovereign nations, not of individuals living under one sovereignty. As a result, whether as tariffs, cartels, bilateral agreements, imperial preference systems, *or as free trade,* political determinations establish the very possibility of international economic life.

This explicit recognition of the political underpinnings of economics is what makes Kuttner's work stand out from the conventional views of modern-day economics. Economists see the dread hand of politics only in those arrangements that limit the untrammeled workings of the market. The market itself is regarded as a neutral field, where political interests and considerations do not enter. Hence the regime of laissez-faire does not have to be justified in the same fashion as one of protectionism or imperial preference. It is the chief virtue of Kuttner's book to expose this view of the market for the ideology that it is.

One does not need to be told, these days, about the importance of international economic affairs for the well-being of the American economy. It was not always so. At the end of World War II international involvements played only a small role in our economic lives: in those days introductory economics textbooks (including my own) regularly consigned foreign trade to their last chapter, to be covered if there was time, while international investment was rarely mentioned at all.

It was in this now forgotten postwar decade that the United States found itself suddenly thrust into the role of the world's political and economic leader—its "hegemon." By virtue of its dominating place, a hegemon enjoys special privileges in conducting its international economic affairs, not the least of which is that its domestic money becomes the world's unit of account. We discover this in such innocent testimony as the casting of the United Nations' annual surveys of worldwide economic performance in dollars rather than in rupees or marks and in the somewhat less innocent testimony of the denomination of internationally traded commodities, such as oil or coffee, in dollars rather than rials or cruzados.

But with these privileges come responsibilities. The hegemonic currency must be "as good as gold" in fact as well as in formality. And the hegemon itself must occupy a secure place on the commanding heights of the world economy—not necessarily in each and every branch of economic activity but in the strategic ones. England's preeminence in steel production and its centrality as the world's center of finance were key elements that secured British world leadership during the late nineteenth century; and when these commanding heights were lost, so was the viability of British hegemony.

In addition to having its currency serve as the

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world's standard of value, a hegemon chooses the rules and duties that determine how the game of international economic life is to be played. In the British case, a combination of the gold standard and the imperial preference system was the policy by which Britain administered its hegemony—not, we should note, in the explicit name of underwriting the pound and the empire, but as rules and regulations that appeared so self-evidently beneficial that they had no need for justification. With the United States it was different. We have never been an openly imperial power, and gold has always been regarded with a certain populist skepticism. The policy that emerged to support our own hegemonic role rested on the simpler, more American foundation of free trade.

Here is where the ideology of laissez-faire becomes entangled with American international economic policy. For the ideology pictures the intercourse of nations as indistinguishable from the jostling of petty hucksters and householders that is the standard textbook illustration of supply and demand. Economic theory shows that from such a market there will emerge, quite without any intervention from "outside"—indeed, precisely because there is no such intervention—prices and quantities that will best promote the well-being of the larger community. I need hardly add that this conclusion depends on many assumptions about the structure of such a market. Never mind. It follows that international activity modeled on this paradigm is supposed to bring to the world at large the same benefits it procures for the domestic economy. It also follows that whatever advantages accrue to a hegemonic nation from free trade will be viewed as part of such an efficiency-maximizing, benevolence-spreading process, not as a result that follows the choice of rules by the hegemon.

This is certainly the way things appeared in the first decade after the war. Europe was barely alive; modern Japan had not yet been born; America was the world's cornucopia. Foreign nations could not get their hands on enough dollars, and foreign goods were dirt cheap for Americans. Free trade thus enabled the United States to be at once the source of the world's monetary wealth and the recipient, at bargain basement prices, of its material wealth.

This happy condition was, alas, short-lived. The decades after 1950 saw the gradual erosion of America's technological, managerial, and, finally, financial leadership. The dollar, once the world's premier currency, slowly lost its preeminence and had finally to suffer the ignominy of being propped up by the gnomes of Zurich, Bonn, Paris, and—ultimate indignity!—Tokyo. The huge positive American balance of payments became by degrees the source of a deficit second in size only to that of the federal treasury. This is a tale with which we have become very familiar, and for which there is no shortage of explanations: the federal deficit itself, uneven playing fields that discriminate against U.S. exports, a frenzy of takeovers that misdirected American managerial energies, government indifference to our deteriorating infrastructure. All such "structural" explanations shed light on our painful decline. But Kuttner finds a deeper reason in the very policy by which we sought to assert and defend our hegemony. He calls that policy "utopian" laissez-faire. I think of it as a commitment to the model of huckster trading as that by which the clash of international economic interests would be best understood and resolved.

Laissez-faire becomes the chief villain in the piece not only because it distorts the American view of how the international economy actually operates but because its moralistic overtones tie our hands in responding to its evolving challenges. Those changing realities are the appearance, both in Europe and Japan, of a model of capitalism to which the image of the hucksters' market could never be applied. From the beginning capitalism abroad has been conceived as a cooperative endeavor between the state and the private sector in which the normal means of establishing prices or determining the volume of production were not merely the forces of supply and demand—these are operative in every economy save a centrally planned one—but also the interests of unions, farmers, trade associations, and the government itself. Europe and Japan, in short, are today examples of the managed capitalism that Kuttner himself depicted in his earlier book as the appropriate direction of change for the American economy. Such managed capitalisms can have their own difficulties—not so many years ago we were throwing up our hands at signs of "Eurosclerosis"—but the countries that practice it have shown themselves to be more adaptive, tough-minded, and effective than the United States in managing their international economic affairs.

Much of Kuttner's book is an exposition in detail of the ways in which laissez-faire inhibits our capacity to create an effective policy of our own. He shows us how laissez-faire beliefs have impeded our efforts to think about—much less to work out—a manageable system of exchange rates among key currencies or a reasonable solution to the burden of international debt or an acceptable relationship to Japan. This constricted imagination itself reflects the

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impatience of laissez-faire thinking with such structural concerns as those we have mentioned. To the true believer, markets are immaculate conceptions that leave no room for low-level institutional considerations.

Kuttner is particularly irritated by the hypocrisy to which our ideological commitment drives us. Other countries erect tariffs or introduce quotas to protect strategic industries against an unmanageable influx of competitive goods. We do not countenance such deplorable measures. Instead we negotiate to establish the number of Japanese automobiles and the tonnages of steel that competitor nations will export to us, avoiding the heresy of protectionism because the limitation has been arrived at "voluntarily." In like fashion our mainstream economists and government officials denounce "industrial policy"—the underwriting of future technological leadership—because it is not a product of spontaneous market forces, but we look the other way as we smuggle in a commitment to future leadership through DARPA, the Pentagon's Defense Advanced Research Projects Agency.

The problem with hypocrisy is not merely that of guilty consciences. It is the much more serious damage of an inability to take an accurate measure of the contest in which the United States finds itself. This contest is not between capitalism and socialism. It is a continuation of a much older contest that arises within capitalism as the expression of the system's life force—a contest in which marketer is pitted against marketer, firm against firm, and, finally, nation against nation. The conflict of marketer against marketer and firm against firm is the means by which capitalism curbs and guides its explosive energy. But the conflict between nation and nation cannot be viewed in quite the same way. For here the contestants are not just participants in a market, but embodiments of two uneasily linked principles of social action: economics and politics. Utopian laissez-faire says that economics is the right way to resolve this tense relationship; Kuttner says that politics is the only way.

The End of Laissez-Faire is not intended to explore in detail how an international order of managed capitalisms might work. It is not answers that we need right now but a willingness to ask new questions. Kuttner spells out some of them:

- Why do some nations succeed in using a blend of public policies and market institutions to increase their real wealth and capture advantage for their national industries? Is there such a thing as a comparative advantage in economic planning, and how does a nation acquire it?
- Where should industrial and technology policy rank in the hierarchy of foreign-policy goals for the United States? Traditionally they don't rank at all, on the grounds that if an economic activity is worth doing, the free market will find the capital to do it.
- How can the United States improve its capacity to capture advantage for its key industries without setting off a trade war?
- How can the desire of all nations to maximize their welfare be reconciled with a coherent system of rules for the trading system, even if those rules are not the rules of laissez-faire? What should those rules be?

These questions spell out an agenda of huge importance for American capitalism in a time when political and economic forces clash more openly and with larger consequences than ever before in its history. Robert Kuttner's book takes the full measure of this challenge. It should be read by everyone interested in awakening our nation from its somnambulistic decline. □

Alan Ryan

PHILOSOPHY AND PUBLIC LIFE

AMERICAN CITIZENSHIP: THE QUEST FOR INCLUSION, by Judith N. Shklar. Harvard University Press, 1990. 120 pp. $17.95.

THE FACES OF INJUSTICE, by Judith H. Shklar, Yale University Press, 1990. 144 pp. $19.95.

All too often, the kind of essay in political thought that hits the bookstores wearing the wrapper of a distinguished university press makes one's heart sink. As an academic production it is often admirable. It usually adds at least a little to the sum of human knowledge; it helps its author up the professorial ladder and disseminates the latest acceptable scholarship. Still, such books are so obviously addressed by professors to professors that one sometimes wonders whether publication is quite the right term for what has happened to them. They seem remote from public life, untethered to matters of public concern, and cast in an idiom that no member of the public speaks or willingly reads.

Judith Shklar's brisk little books are wonderfully unlike that. Both started out life as distinguished public lectures. Their style is entirely personal, but not in the least conversational. It is a lecturer's style, often a preacher's style. *Injustice* strikes the fine old-fashioned note of the dissenting minister rebuking

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his flock for moral and intellectual laziness; *American Citizenship* sounds a more upbeat note, encouraging us to recall the generous impulses implicit in American democracy, and urging us to extend them to those who have been excluded by race, gender, or their inability to find steady and worthwhile employment. In both books Shklar wields the tradition of political reflection as rational dissenters used to wield the Bible—as a source of moral insight about the problems of ourselves, here and now. The presiding saint is Rousseau rather than Paul, but the model is more lay sermon than what currently passes for political philosophy or the history of political thought.

Shklar has an exceedingly sharp intelligence and is one of our most distinguished historians of ideas. But unlike conservative defenders of a curriculum built around the Great Books, she doesn't see the work of the illustrious dead as a storehouse of eternal truths and general principles. Perhaps the most fiercely anti-academic quality of both books is their hostility to general principles, universal truths, moral and political laws. These antipathies yield striking results. Both books may find less of an academic audience than they would have done if Shklar had forced herself to say rather more about just what she was up to, but one would not wish her to turn aside from what she does so well to explain how she does it.

In essence, what Shklar offers is a series of vivid and pointed moral pictures. Rousseau prided himself on being the foremost painter of the human heart who had ever written about man and society, and it is that quality in Rousseau that Shklar admires and that style of argument that she emulates.

More grandly, one might say that she provides a phenomenology of injustice and exclusion that helps us sharpen our sense of the virtues of democracy and social justice. The reader is taken round a gallery of moral mishaps and moral responses, shown the pictures in detail, shown how to attend to their salient features, and encouraged to go and look at the world with eyes newly opened or newly educated.

Injustice is particularly strong on this. Shklar has an idea, which is never fully developed, but which has several attractive—perhaps rather disparately attractive—features. The thought is that many political thinkers go on and on and on about justice but few ever attend to *injustice*. Part of the explanation is that the idle and the comfortable dismiss what befalls the less happy members of society as mere "misfortune." They say that where there is no responsible human agent at fault, there is no possibility of injustice. But the line between misfortune and injustice is politically contrived. When an earthquake levels a city, the dead include many whose houses collapsed because they were poorly constructed, many who were forced to live in dangerous apartment buildings because they were the least well off in an iniquitous distribution of income and wealth; they will die in larger numbers because corrupt politicians pocketed the money that ought to have been spent on hospitals, or on the ambulances to take them there. What in this is misfortune, what injustice?

Shklar follows Mary Douglas in thinking that the decision whether to allocate blame to mere nature or to human malignity follows culture rather than nature. She takes a cheerful view of the American inclination to assume that *somebody* out there ought to be sued whenever anything goes wrong. One reason for taking the cheerful view is that human beings find it hard to live in a world where too much is put down to misfortune or blind bad luck. Finding ourselves dying, we reproach ourselves for the misdeeds of our youth. The rationalist asks whether our twenty-year-old selves are *really* to be reproached for inflicting an unmerited early death on our fifty-year-old selves; Shklar thinks that question futile. We die more comfortably reproaching ourselves with self-destruction than facing the fact that our death has no meaning, no moral color, and is the sort of accident that might happen to anyone and just happens to be happening to us.

Shklar is quick to admit the obvious counter—of course we must beware of overdoing the search for scapegoats or we shall live in a world of resentful and superstitious terror. The sense of injustice can be overdone as well as inadequately cultivated. If Shklar has rather little to say about how to steer the proper line between the Scylla of moral obtuseness and the Charybdis of pointless resentment, she might doubtless reply that she can give us a compass and a map, but we must provide our own good sense in using them.

A second drive behind the concentration on *in*justice rather than justice lies in an unusual view of moral psychology. Drawing on Rousseau's *Emile,* Shklar holds that the individual's capacity to lead a moral life lies in the instinctive resentment all of us feel when an injustice is perpetrated upon us. Little Emile's tutor encourages the boy to plant beans in the plot already cultivated by the gardener; when they come up, the enraged gardener tears them up and throws them out. The boy is heartbroken and furious. Shklar takes Rousseau's purpose to be that of showing the painfulness of injustice—little Emile

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had lavished his labor on his crop only to see it invaded. But it is quite as much Rousseau's purpose to tech Emile the sanctity of property. The gardener *owns* his plot, and Rousseau more than once observed that property was even more sacred than the political bond itself. Rousseau's story of young Emile's education in the concept of justice is, however, as ambiguous as most things in Rousseau, and more ambiguous than Shklar lets on. Once again, one wishes that Shklar would say more about the balancing act that squares the injustice of robbing us of the fruits of our labor with the injustice of forcing somebody to part with his or her property—or at least that she would press Rousseau a bit harder on which injustices are worse than which.

Nobody could quarrel with Shklar's emphasis on Rousseau's talents as a painter of the sentiments she concentrates on. The crucial question is what underlies his acute sense of having been treated unjustly and what underlies her willingness to take him so seriously.

There is no simple answer, but the outlines of a complicated one seem to be these. The old aristocratic conception of injustice relied on a concept of wounded honor; the aristocrat had a strong sense of what was his due and felt outrage when his self-esteem was slighted. Rousseau's conception of justice is attuned to modern, democratic, egalitarian humanity. Our sense of injustice is aroused when we feel that other people might have rallied round to shield us from misfortune and just didn't care to. Certainly, defeated expectation is one aspect of it, and it is what reduces young Emile to tears, until he understands that he had no business expecting to grow his beans on another's land. Expectations, however, are part of the merely formal analysis of grievance. It is the basis of those expectations that is the decisive point, and it is their account of that basis that puts Rousseau and Shklar in the same camp. For both of them, modern injustice lies in the failure of solidarity; the pain is the pain of exclusion, the pain of being visibly held to be of no particular account.

So strongly does Shklar feel this that she spends far more of her time attacking "passive injustice" than she does the fully paid-up active forms of wickedness. Her villains include the bystander who fails to intervene when someone is attacked, the teacher who fails to denounce the colleague who hands out arbitrary grades, the people in the supermarket line who fail to stand by the fellow-shopper who is cheated by the checkout clerk and given no help by the store manager. As these homely examples suggest, it is the buildup of everyday wrongs that upsets her, and the accumulation of what a previous book—of that title in fact—called "ordinary vices."

What is attractive about the books under discussion taken together is the way her argument about exclusion and inclusion carries across from the one to the other. *American Citizenship* is built round the great but still underdiscussed contrast between the condition of the slave and the condition of the citizen. The paradigm case of the noncitizen is the slave; to the degree that they were treated as the property of their husbands, women suffered the same indignity.

The American obsession with being an independent, self-reliant, citizen of a republic has a meaning it could only have acquired in a society where slavery in the full and proper sense was a known institution. An English radical who accused Pitt and his ministers of reducing freeborn Englishmen to slavery was rounding up the usual metaphors. An American who feared that the rise of big business would reduce northern workmen to the same condition as the slave was expressing an altogether more vivid sentiment. Shklar's picture of the American republic is that of a society built upon the ideal of inclusion. The slave was forever shut out of such a society, and that was part of the peculiar injustice of slavery and the importance of the vote.

What she says very well is that inclusion demands more than the vote, even though it certainly demands the vote, too. She does with the idea of being able to earn one's own living things that conservatives have been too mean spirited to think and socialists have been rather afraid to say in case the conservatives twist them in wicked ways. Once again, it is Rousseau who presides over the argument. The self-respecting citizen must, save in very special conditions, be able to support himself or herself. What this entails is not a punitive conception of "workfare," which is as far as conservatives ever manage to get, but a commitment to the older ideal that work should be available for everyone.

That much is tolerably simple. What Shklar's emphasis on the legacy of slavery adds is an account of why welfare recipients are so demoralized, why workfare has such punitive overtones, perhaps even why the United States is at once deeply committed to the Rousseauian ideal of independence through work and deeply terrified of organizing economic life in a way that makes the ideal realizable. If the main setting in which work was always there to be done was the slave-based plantation, a hundred and thirty years is not long to forget that institution and its horrors. The thought that the welfare provisions of

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Western European states do not reflect the dependent condition of the unemployed but meet their rights as members of an inclusive society is fighting against old terrors. It is a pity to abridge Shklar's own discussion of all these subjects, however. Much of the pleasure of reading her lies in the innumerable asides and excursions off the main track that both lighten the main argument and lend it the relaxed authority that has for once translated so well from podium to page. □

Michael E. Zimmerman

HEIDEGGER, POLITICS, AND MODERNITY

HEIDEGGER AND MODERNITY, by Luc Ferry and Alain Renaut. Trans. Franklin Philip. The University of Chicago Press, 1990. 130 pp.

THE POLITICS OF BEING, by Richard Wolin. Columbia University Press, 1990. 221 pp.

The debate about Martin Heidegger's affiliation with National Socialism has been particularly fierce in France because—especially since the decline of Marxism in the late 1970s—Heidegger, the most influential German philosopher of the twentieth century, has played a crucial role for the French intellectual left. If his thought is tainted by Nazism, then much of contemporary French theory is called into question, as are some of the pronouncements of those American academics influenced by French theory.

Heidegger's claim that Western metaphysics culminated in modernity, with its totalitarian regimes and consumption-oriented societies, enabled French intellectuals, including Michel Foucault and Jacques Derrida, to offer a sweeping critique of modernity's philosophical presuppositions and its social and political legacy. According to this critique, the Enlightenment's concept of autonomous subjectivity, its search for rational foundations for knowledge and norms, and its celebration of the universally valid "rights of man" were an ideological smokescreen for power motives revealing themselves in the European ethnocentrism that led to colonialism, racism, and Nazism.

With the publication of these important books by Wolin and by Ferry and Renaut, readers will be able to understand more clearly the role played by Heidegger's thought in promoting the astonishing and repellent idea, currently popular among some of Heidegger's French and American followers, that Nazism was a kind of "humanism." *Heidegger and Modernity* views the Heidegger affair specifically in terms of its relation to the contemporary French intellectual scene. *The Politics of Being* focuses both on the facts concerning Heidegger's relation to Nazism and on the philosophical beliefs that led him to justify that relation.

In what may be the best available study of Heidegger's relation to Nazism, Wolin demonstrates that Heidegger's followers fail in their effort to distinguish between his philosophical thought and his political views and deeds. In fact, Heidegger's thought was inextricably combined with his decision to support the Nazis. Although resisting the temptation either to belittle Heidegger's considerable philosophical achievements or to reduce them to the status of apologetics for fascism, Wolin nevertheless makes clear that, henceforth, we must read Heidegger's writings with an awareness of their political implications.

Unlike the heirs of the Enlightenment, liberals and Marxists alike, who describe Western history in progressive terms, Heidegger portrayed it as a long decline from its ancient Greek origins. Ignoring the emancipatory political dimension of the Enlightenment, he depicted it solely as the triumph of abstract rationalism, commercialism, industrialism, and mass culture, all threatening the German *Volk*. Responding in part to Spengler's writings, Heidegger offered two somewhat different explanations for the alleged decline of the West. To understand his strange claim that "Nazism is a humanism," we must distinguish between these two explanations, one to which he adhered until around 1936, the other to which he adhered subsequently.

According to the first explanation, the decline of the West can be attributed to the fact that people tend to conceal a very unpleasant truth about themselves: namely, that they are mortal and finite. In his famous book *Being and Time* (1927), Heidegger used the term "inauthenticity" to describe this flight from the truth about human mortality. Whereas ordinarily we might conceive of inauthenticity as a personal problem, Heidegger maintained that the attitudes and practices of an entire civilization can become inauthentic. Such was the case, he concluded, with Western civilization. Fleeing from the truth about what it means to be human, and thus running away from the possibility of existing in a noble and courageous manner, Western people had sold out to materialistic doctrines, such as liberal capitalism and Marxism. Heidegger called on Germans to be courageous, to affirm their mortality and finitude, and to open themselves to the new

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historical possibilities that authenticity would disclose.

Heidegger's distinction between inauthenticity and authenticity is closely related to his primary philosophical concern: ontology, the study of being. In traditional metaphysics, "being" was defined as the eternal foundation of temporal things (for example, Plato's forms and the biblical God). Heidegger defined "being" in a radically different way, which is how he achieved his reputation as a philosophical genius. For Heidegger, "being" does not name any sort of foundation or origin for things. Instead, for something "to be" simply means for it to be manifest, to be revealed. Human existence is crucial to the ontological process by which things are revealed.

Heidegger argued that things can be manifest only so long as humans exist. Human awareness does not create the things it encounters—stars, trees, numbers, other people. Yet in noticing and naming things, human awareness lets things stand out as things. This capacity for "letting things be," for disclosing things, is what distinguishes human existence from that of animals. Without human awareness, the stars would continue to burn and the planets would orbit, but everything would be shrouded in a mute ontological darkness.

Heidegger regarded this ontological awareness both as a tremendous opportunity and as a tremendous burden for humanity. The opportunity it affords us is to be self-conscious agents capable not only of understanding things but also of altering them in accordance with our own ideas and vision. Here is the source of the glory and wonder of human existence: we are active witnesses to the beauty and complexity of the world. The burden it imposes on us is twofold. First, to be ontologically aware always means being aware of one's mortality. Only humans know that they will die, for only humans understand their own finitude, their "being toward death." Second, ontological awareness brings with it the obligation to be aware of things, or to "let things be," in ways that are true to the things themselves. Failing to live up to this obligation leads us to behave inappropriately. For example, if I accept the contemporary commonsense view that animals are simply organic "machines" whose only value lies in serving human purposes, then I will tolerate methods of animal husbandry and types of scientific experimentation on animals that I would condemn were I to understand that animals are more than machines, more than raw material for human ends. The machine view of animals does not "let them be" appropriately but instead forces them to reveal themselves in a constricted way.

Because the twofold burden of ontological awareness is so heavy, most people attempt to flee from their own humanity: they deny their own mortality, and they avoid disclosing things appropriately. Such self-deceiving and irresponsible existence is what Heidegger meant by "inauthenticity." The decline of the West was the result of an increasing unwillingness on the part of Western people to shoulder the burden of mortal existence and to disclose the truth about things. In Heidegger's view, Western humanity's inauthenticity was discernible in titanic industrial projects, the aim of which was to give humanity total control over nature—control that promised immortality. This restless striving for godlike power and security led humanity to see nature in one-dimensional terms: simply as raw material, valuable only insofar as it served human purposes. In the 1920s and 1930s, Heidegger called for Germans to affirm their mortality and to take responsibility for establishing a new world order in which humanity and nature could be revealed in more appropriate ways.

Acknowledging that this idea of authenticity contains nothing that overtly favors Nazism, Wolin also correctly observes that it contains nothing to oppose it. Like Nietzsche, Heidegger has abandoned the idea of "essential" or "eternal" truths about human life. Hence, he rejected biblical claims about sin and redemption; likewise, he scorned modern claims about political and economic freedoms. Instead, he maintained that each *Volk* gained meaning only by virtue of a sheer decision in favor of what seemed possible and even "necessary" at a given historical moment. As Wolin explains, what seemed necessary to Heidegger in the early 1930s was Nazism.

Enthused by Hitler's promise to find a "third way" between those twin evils of modernity, capitalism and communism, Heidegger believed that he himself had been ordained to provide spiritual guidance for the German "revolution." In his political speeches, he proclaimed that the individual "counted for nothing" in the new Germany. The *Volk* must now resolve collectively to be authentic, to initiate a new beginning that would be as great as the beginning made by the ancient Greeks. Heidegger urged the German people to be ruthless in their revolutionary struggle. The *Volk* would have to transgress old values and beliefs in order to confront the challenges imposed by the age of modern technology.

As rector of Freiburg University (1933–34), Heidegger followed his own advice. He blackballed professors for pacifist leanings or for their association with Jewish circles. Until recently, his defend-

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ers could explain away the anti-Semitic remarks he occasionally made in letters during his rectorship as politically opportunistic, because they were made after Hitler came to power. Wolin destroys this defense, however, by citing a letter written by Heidegger in 1929 that warned against the "Jewification" of Germany.

Heidegger's first explanation for the decline of the West emphasized that Western people had become increasingly unwilling to take upon themselves the opportunity and the burden of human existence. Instead of "living dangerously" so as to disclose things in ever more authentic ways, Western humanity had chosen the route of comfort and security as promised by democracy, liberalism, socialism, and communism.

By 1936, however, for reasons not entirely clear, Heidegger began to offer a second explanation for the decline of the West, one that allowed him to depict the "historical reality" (that is, Hitlerism) as a form of "humanism." Abandoning his earlier belief that human resolve could change the course of history, he now argued that the decline of the West did not occur because of any human failing, nor could it be altered by any human decision or action. Instead, Western humanity was destined to end up with the one-dimensional understanding of being responsible for the technological age. Only the appearance of a new god, indicative of the beginning of a new destiny for the West, could save humanity from the fate of total technological nihilism. All humanity could do was to prepare itself for the possible advent of this god.

Hitler's "revolution," Heidegger regretfully concluded, was not the longed-for alternative to a degenerate modernity but was instead a manifestation of the same voluntarism and anthropocentrism inherent in all "humanism." By 1936, Heidegger seems to have concluded that the leaders of the National Socialist "movement" had forgotten its authentic potential and had thus turned it into nothing but a power-hungry nationalism. Heidegger's attempts in the early 1930s to shape the course of the movement had been doomed to failure. It is possible that Heidegger's frustration regarding his political failure helped lead him to the conclusion that voluntarism—the doctrine that human will can alter the direction of history—was a central factor in the decline of the West. Insofar as Nazism manifested such voluntarism, that is, insofar as it resembled in its own way the capitalist and communist doctrines that humanity could use industrial technology to become master of its own destiny, it itself was a kind of humanism.

Wolin observes that, seen through Heidegger's "leveling gaze," Roosevelt's America, Stalin's Russia, and Hitler's Germany were all "metaphysically" the same: expressions of this voluntaristic and anthropocentric humanism. But despite lumping Hitler's Germany into this group, Heidegger remained ambivalent about the promise of Nazism. Even in 1966 he could still claim that only Nazism had taken positive steps to confront modern technology. Democracy, he asserted, was helpless in the face of this historical phenomenon, which was the dark fruit of humanism. Heidegger called for a "higher humanism" that would displace the degenerate humanism responsible for the ills of modernity.

Ferry and Renaut's book, which shows how Heidegger's critique of humanism shaped the anti-humanism of contemporary French intellectuals, was greeted in Paris with dismay and scorn by those who continued to deny that Heidegger's reactionary political views colored his interpretation of Western history. For Heidegger, communism, capitalism, democracy, liberalism, and the "historical reality" of National Socialism were all symptomatic of Western degeneration: they were different kinds of humanism. But many of Heidegger's influential French followers conveniently overlooked his scorn for democratic principles. Hence, there occurred the strange spectacle of French theorists calling on Heidegger's thought, which he had used to support the Nazis, in order to help "liberate" people from such repressive "humanistic" regimes as liberal capitalism!

Ferry and Renaut explain how this curious and selective appropriation of Heidegger's thought took place in France. Postwar French leftists—convinced that Nazism was a neocapitalist phenomenon—at first turned to Marxism as the only uncontaminated political theory. Levi-Strauss's denunciation of Eurocentrism in the 1950s strengthened the hand of those who condemned liberal capitalism as racist, imperialist, and colonialist. Hence, French leftists not only supported Soviet efforts to foment Third World revolutions aimed at overthrowing colonial regimes, but they also condemned Euro-American cultural imperialism, which, masked by Enlightenment doctrines of the universal "rights of man," was merely the latest version of the racism earlier expressed in the idea of "the white man's burden."

By the mid-1970s, French leftists were no longer able to deny the totalitarian face of Soviet communism. Still unwilling to embrace liberalism, however, they turned to Heidegger as the only remaining thinker who provided a comprehensive criticism both of bureaucratic Stalinism and of the consumerist West. As Ferry and Renaut observe,

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supposedly only Heidegger's thought could prevent "the general collapse of humanity into American style businessism." Ignoring his supposedly "brief" Nazi phase and his frequent condemnations of democracy, French intellectuals enlisted his thinking on behalf of their ostensibly democratic struggle to free humanity from the consequences of one-dimensional Enlightenment universalism.

In complementary ways, Wolin and Ferry-Renaut reveal the confusion in this outlook. When Enlightenment thinkers spoke of the "universal" dimension of humanity, they did not have in mind some feature belonging only to Europeans, a feature that would justify racist attitudes. Instead, Rousseau, Kant, and others maintained that humanity's distinguishing feature was its freedom, its capacity to escape the limits of any cultural code. Understood rightly, the Enlightenment rejects all attempts to define human beings according to race, class, gender, or ethnicity, despite the fact that Enlightenment thinkers often revealed racial and gender biases.

Insofar as Heidegger defined human existence as transcendence, openness, and freedom, he apparently shared the Enlightenment vision. Yet he was also profoundly shaped by romantics such as Herder, who claimed that humans are defined by the language and customs of their unique historical peoples. Heidegger never relinquished the view that the Germans were a special people, whose destiny was to save the world from degeneration and decline. Nazis, including Heidegger, celebrated the uniqueness of the German *Volk* and the importance of its task. As Wolin points out, however, one of the tactics used by the postwar Heidegger to explain the evils of National Socialism was to portray it *not* as a uniquely German phenomenon but instead as a symptom of the "humanistic" movements infecting the whole of modern Western civilization. By virtue of this interpretation, Heidegger could relieve himself and Germany of responsibility for the terror perpetrated by Hitlerism.

While acknowledging that modernity does promote a cultural homogeneity, neither Wolin nor Ferry-Renaut is prepared to ignore the vast differences between the homogeneity promoted by consumerist society and the homogeneity promoted by the Nazis. Wolin and Ferry-Renaut remain committed to the democratic project of freeing people from unnecessary social control. Democracy is possible only if those participating in it are in some measure autonomous. While agreeing that, after Marx, Freud, Darwin, and Nietzsche, there is no returning to a naive concept of total autonomy, Ferry and Renaut nevertheless argue that it is reasonable to see human beings as subjects who have a measure of will and efficacy. The call by antihumanists for "deconstruction" of the subject supposedly aims to reveal the inadequacies of the radically autonomous "selfhood" envisaged by humanism. The danger is that such deconstruction will promote authoritarian movements purporting to free people from the burden imposed by "bourgeois individualism." By arguing that human agency is impotent in the face of a mysterious historical destiny, antihumanists pave the way for passivity in the face of social forces that—despite their enormous scale—are in fact capable of being criticized and redirected by collective action.

I might add that the fashionable call to "celebrate difference," a call promoted by many academics influenced by French theorists, is an expression of an *Enlightenment* theme. The *toleration* necessary to celebrate difference requires the prior concession that there is a universal dimension to humankind, even if this is defined only in a limited way, as freedom or transcendence. Without acknowledging that the "other" is human, despite different cultural codes or skin color, what generally occurs is not the celebration of difference but the *absolutization* of difference. The in-group asserts that its own peculiar cultural traits define true humanity; lacking those traits, the out-group is subhuman. One can readily discern this process at work in the current struggle between Israelis and Palestinians, as well as that between Catholics and Protestants in Northern Ireland.

To depict Nazism as a kind of humanism, then, is to read Enlightenment humanism through the eyes of a brilliant but reactionary German philosopher for whom the Enlightenment meant the infection of the German *Volk* by the "alien" ideas of the French and English. Members of the Frankfurt School, such as Horkheimer, Adorno, and Marcuse, despite their great political differences with Heidegger, also fostered similar interpretations of the Enlightenment and its link to Nazism. Many French intellectuals have read the Enlightenment through the distorted optic of such German intellectuals.

Viewing Enlightenment ideals as merely masked power motives, many academics have become openly skeptical about "progressive" political concepts. The two books discussed here remind us, however, that the ideals of the Enlightenment—including the ideal of individual autonomy and the efficacy of human action in shaping events—cannot be discarded without serious political consequences. One can acknowledge the shortcomings of the Enlightenment while also acknowledging the importance of its emancipatory political vision.

Affirming a common "humanity," and thus being

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a "liberal humanist," does not have to be read as an attempt to achieve cultural hegemony but may instead be read as an affirmation that humans are capable precisely of inventing different cultures. In recognizing that this capacity for cultural invention belongs to all, we become more willing to tolerate cultural differences that might otherwise become wholly divisive. □

Emanuel Geltman

PAGES OF HISTORY

TROTSKY: MEMOIR AND CRITIQUE, by Albert Glotzer. Buffalo, N.Y.: Prometheus Books, 1989. 343 pp. $24.95.

By rights, I ought to "recuse" myself from reviewing this book. As acknowledged in its introduction, I read an early draft of the manuscript several years before its publication, and offered such advice as I could. Though it isn't common where political differences separate friends, I've maintained a friendly relationship with Glotzer for close to sixty years. (Let me put it this way: Glotzer is a leading member of Social Democrats USA; I'm a member of DSA and an editor of *Dissent*.) The book is heavier on "critique" than "memoir," but I can agree with most of the critique. It would be fair to say that I agreed with Glotzer before Glotzer agreed with Glotzer.

It may be a ghoulish way of looking at it, but Trotsky won eleven years in which to work because (after exile to Alma Ata) Stalin deported him. Had he remained in the Soviet Union he would have been one of the first to perish in the purges of the thirties, nor would he have been able to write, correspond, meet people from abroad. As it is, Trotsky was finally assassinated by a GPU agent, Ramon Mercader, in Mexico, in 1940.

Turkey gave refuge to Trotsky, on the island of Prinkipo. When his house burned, after two years, he moved to a shabby building in Kadikoy, a suburb of Istanbul facing the Asiatic Sea. And that's where Glotzer, one of the first recruits to the Trotskyist opposition in the United States, enters the story.

In 1931, at age twenty-two, he decided to visit Trotsky. He traveled to Kadikoy, intending to remain about two weeks but staying for close to two months. Trotsky was delighted to have someone with secretarial skills, able to go through masses of letters in English that had accumulated. Besides, Glotzer could also serve as a guard, join the "Old Man" on fishing expeditions (relaxation, sport—though with a net—and food for the table), even a hunt once, with permission of the Turkish authorities. The household consisted of Trotsky, his wife, Natalia, his grandson Sieva, a cook, a fisherman, two policemen who for some reason never tied their shoelaces, and Jan Frankel—a few years older than Glotzer, fluent in several languages, who had borne all the secretarial burden for over a year, served guard duty, shopped in Istanbul, a general dogsbody. For Frankel, Glotzer was a blessing—a friend who could also help in various ways. Afternoons, Trotsky dictated the second volume of his *History of the Russian Revolution* from notes prepared the night before, which were transcribed by a Russian typist. There was endless correspondence and an incredible series of articles, pamphlets, and tracts—in the most important of which Trotsky warned about the danger represented by Hitler for the world, perhaps his finest achievement in those years. When Glotzer did get to have a private audience with Trotsky, it seems to have been largely devoted to little factions and people now forgotten. How sad for Trotsky to have wasted time on this, then and later, so intent was he on the chimera of organizing an international Marxist movement to challenge the Comintern.

Glotzer interrupts his memoir (into which he inserts some "critique" that he didn't arrive at until much later) after he leaves Kadikoy, to examine at length the development of the Bolshevik party in Russia, the relations between Lenin and Trotsky, in the course of which he criticizes both, especially on their devastating position that "the party is always right." (In a later chapter he discusses Lenin's and Trotsky's views on anti-Semitism; quite interesting.) Glotzer could easily have written these pages sixty years ago. Whatever our failings in American history, we were steeped in the history of Bolshevism and the revolution. Except, except—Glotzer would not have criticized Lenin then (nor would I). Glotzer's footnotes and bibliography direct the reader to more substantial sources.

Until the eve of the 1917 revolution Trotsky disagreed with Lenin on many issues. But he was converted to "Leninism" on the role of the party—the "dictatorship of the proletariat," which, in practice, was the "dictatorship of the party." Glotzer agrees with all the sensible authorities that Lenin was not a Stalin. Had he lived, the rule of the party might not have been as cruel. Old Bolsheviks might not have been purged, but Mensheviks and Social Revolutionaries would still have been on trial. At the tenth Bolshevik congress in 1920, under Lenin's direction, the party outlawed factions. Trotsky voted for the resolution. He did not protest the trial of the Mensheviks. When, in 1923, he wrote a brilliant critique of the party's bureaucratization, *The New Course*, appealing

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particularly to the youth to assert themselves, he did not propose a faction to fight for democracy in the party—and, most certainly, not for any political organization outside the party. Glotzer is fully aware of Trotsky's great abilities and accomplishments—as organizer of the Red Army, writer, unrelenting foe of Stalin in his years of exile. But that is beside the point of his critique.

Now, the main reason to read this book is the chapter on the Moscow Trials and the commission, chaired by John Dewey, which went to Mexico in 1937 to investigate the frame-up and hear Trotsky's testimony, directly and through cross-examination by the commission's lawyer, John Finnerty, and others. Glotzer was a top-notch court reporter, and he was called upon to take it all down. Without his knowledge of politics he would have had difficulty (he says) transcribing his notes, which, as published by Harper and Brothers, add up to a volume exceeding six hundred pages, *The Case of Leon Trotsky*. (The Commission Report, *Not Guilty*, has over four hundred pages.) Both are out of print. However, in his bibliography, Glotzer lists a British edition; maybe that's still available. There is more to the story than testimony and stenography. There are the efforts by the Stalinists to harass Dewey, to discredit the commission, to distort news reports. There was even a reasonable possibility that Glotzer's notes might be stolen. A decoy story was put out, while Glotzer traveled back to Chicago with the notes on his body. Today, the work of the commission is almost forgotten. To my taste, Glotzer could have devoted more space to the commission and how it worked.

Glotzer presents a Glotzer-eyed view of the history of the American Trotskyist movement, which eventually took the name Socialist Workers party (SWP). In the thirties, Joe Carter and James Burnham (before he drifted off into the Managerial Revolution), with some help from me, introduced the heresy that the Soviet Union was not a "degenerated workers' state" as Trotsky said, but a new class society to which Carter gave the name Bureaucratic Collectivism. (Glotzer has a long footnote about Carter, for which I'm grateful.) The idea is generally credited to Max Shachtman. It took several years (after the split in the SWP and the organization of the Workers party, later the Independent Socialist League) to bring Shachtman over. When that happened, he did write the first extensive explanations, and for that he deserves proper credit. (Looking back, it's interesting that while we were presenting a position opposed to Trotsky's, we pored over his writings, notably *The Revolution Betrayed*, where Trotsky comes close to conceding the possibility of a new class structure not foreseen by Marx. Glotzer quotes from the book extensively.)

Glotzer completed his book before the most recent and previously unimaginable changes in the USSR and Eastern Europe. Does Bureaucratic Collectivism describe the society now coming into being (or collapsing)? It was the most useful analysis, I think, for some fifty years. But now, much as I hate to give up an old passion, maybe it's best left to history while we consider new definitions. I'll leave Glotzer's book with that thought. □

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Change our Name?

Editors:

I recall the socialist dictum explaining warfare as the highest expression of class struggle. Have your editors and contributors forgotten this or just don't know it?

Because of their general, albeit critical and/or qualified support of the Gulf War (ignoring—as of the Spring issue—the many resulting deaths of innocent civilians, not to mention our disheartening experiences with jingoistic, superficial patriotism), I suggest that you change the name from *Dissent* to *Assent*. Or, perhaps *Acceptance* or *Social Critique?*

Dissent just no longer fits.

KENNETH R. BURLEY
Maryville, Tenn. □

Contra Brumberg

Editors:

I find it regrettable that you chose to publish as badly informed an article as Abraham Brumberg's "Polish Intellectuals and Anti-Semitism" (*Dissent,* Winter 1991). Even in a "condensed version of a longer study" obvious errors of fact appear, as well as errors of judgment and omission.

We learn from Mr. Brumberg that Jews formed a "sizable portion of the nascent intelligentsia in Poland." We don't learn, however, that Jews were also a sizable portion of Polish society in general . . . with their own self-government for centuries. Nor do we learn why the Jewish population in the Polish territories—the Russian pale in effect incorporated the borders of the former Polish state—was so sizable in contrast to England, France, Spain, or Germany. Brumberg's opinion on how best to incorporate the millions of Polish Jews into the new Polish state between the World Wars, presented in one sentence, is an insult to many politicians of Jewish and gentile descent who were trying to cope with the issue before the Nazis invaded with their "final solution." "Assimilation was advocated by many Jews, while Zionists proposed emigration to Palestine. . . ."

Brumberg writes that "[i]n the twentieth century almost all political parties in Poland incorporated anti-Semitism into their political programs." This is simply false. Does he mean Poland under alien yoke until 1918, independent Poland in 1918–1939, the anti-German underground during World War II, communist Poland, or the New Poland? Does he include Jewish political parties, like the Bund, represented in the Polish Parliament before the war?

The anti-Semitic record of the prewar National Democrats is well established. But the "only" anti-Semitic party Brumberg lists in the 1930s is the Polish Socialist party. However, this was then a leading political force. Of the two remaining important political camps, *Sanacja,* which ruled the country from 1926 to the war—despite the opposition of the National Democrats—and the agrarian party opposed Nazism and the anti-Semitic riots of the middle-class. Brumberg discusses comments made by Lech Walesa without mentioning the president's condemnation of anti-Semitism. Brumberg equates opposition to anti-Semitism with opposition to the Catholic Church though the church condemned the "sin of anti-Semitism" ex officio.

I do not deny the anti-Semitic attitudes of some Poles. The fact that "anti-Semitism without Jews" developed first in England is no consolation. In March 1968, the staff of the philosophy and sociology department at Warsaw University condemned the communists' anti-Semitic campaign. In spring 1990, the editorial council of the Warsaw University *Weekly* condemned an openly pro-Nazi publication. In fall 1990, acting as the Helsinki Committee, we urged the authorities to use the provisions of the criminal code against stirring up racial, ethnic, or religious hatred.

As to the general thesis of the article that Polish intellectuals (or the Polish intelligentsia) are "reluctant" to examine their own anti-Semitism, let it suffice to say that it is as wrong as any generalization is likely to be. Some of the intellectuals Brumberg criticizes are exactly those who are attacked by anti-Semites as Jewish. I now think this is not so much a debate on the anti-Semitism of Polish intellectuals as about the attitude one should take toward Polish and Jewish nationalism.

In a book recently published by a colleague who interviewed children of the Holocaust living in Poland, I've found the following observations:

> [A]mong Jews who take an anti-Polish stand I feel like a Pole of Jewish descent, while in a purely Polish milieu . . . prejudiced against the Jews, I consider myself a Jew of Polish descent . . . [W]hen I need neither to attack nor to defend I consider myself a Pole of Jewish descent (Malgorzata Melchior, *Spoleczna tozsamosc jednostki*).

I think every intellectual must oppose extremists on both sides. It is scandalous that there are anti-Semites in Poland, but it is also scandalous to use the "mechanics" of anti-Semitism to say that Poles or Polish intellectuals in general are anti-Semitic. I do hope that by challenging

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Brumberg I will only be accused of being an anti-Brumbergian while I remain friendly to *Dissent*.

Jacek Kurczewski
Judge, Tribunal of State
Republic of Poland
Professor, University of Warsaw

Abraham Brumberg Replies

The saving grace of Professor Kurczewski's letter is his assurance that while "anti-Brumbergian" he remains firmly "friendly to *Dissent*." In turn, I assure him that my friendly feelings toward *Dissent* do not make me anti-Kurczewskian. Rather, I regard his letter as yet another sad example of how some Polish intellectuals simply refuse to acknowledge unpalatable facts, and how silly are their efforts to explain them away.

For instance: I did not—and in one sentence at that—offer a solution on how "best to incorporate the millions of Polish Jews into the new Polish state between the World Wars," if only because the problem was not how to incorporate them (they had been there for centuries, as Kurczewski himself points out) but how to treat them like equal citizens. Of course the Bund was not anti-Semitic (you can carry self-hatred only so far), and furthermore the Bund was *not* "represented in the Polish Parliament before the war." Nor did I say that the Polish Socialist party was anti-Semitic—quite to the contrary. Like it or not, most prewar political parties *were*—I suggest looking up any history textbook, say Anthony Polonsky's *Politics in Independent Poland 1921–1939*.

I could go on, but there seems to be little point in carrying on a lengthy polemic with someone whose claim to objectivity is "not to deny the anti-Semitic attitudes among some Poles." I am afraid that Professor Kurczewski has still a lot to learn. □

Recognizing Homeless People as People

Editors:

Tamar Jacoby's article "Thinking About the Homeless" (*Dissent*, Spring 1991) addresses a number of important questions about the relationship between homelessness and mental illness. Unfortunately, Jacoby's language and the structure of her argument reveal that her understanding of the meaning and the causes of homelessness in our society is severely limited. Her understanding and her prescriptions go nowhere near addressing the needs of non–mentally ill homeless people. To Jacoby, homeless people are the figures lying on the street she must confront on her way to work in the morning. The vast majority of homeless people do not sleep on the street: they sleep in some form of shelter, whether public or private. Jacoby's failure to recognize this is symptomatic of her impression of homelessness. To Jacoby, homeless people are "victims," objects of institutional and governmental actions rather than agents in their own right, except when guilty of unapproved behavior. Furthermore, by referring to these people repeatedly as "the homeless," and by speaking of the "homeless problem," Jacoby denies them not only agency but humanity. Homeless people are people, and calling them "the homeless," as if "homeless" were a noun and not an adjective, allows Jacoby to avoid the awful discomfort of acknowledging that homeless people are not a species apart from her own.

Contrary to her suggestion, homelessness in this country is not a new phenomenon, beginning only a decade ago following wholesale deinstitutionalization, nor is homelessness a condition from which only the mentally ill suffer. People suffered from homelessness in precolonial England, and the colonists brought the condition here when they settled (see *Homeless in America*, edited by Carol L.M. Caton for a history of homelessness in this country). Although deinstitutionalization undoubtedly increased the numbers of people who are unable to find or to pay for homes, these people's plight is not a new one.

Certainly, as Jacoby's article suggests, we need to do a better job of treating those of us who are mentally ill, but we also need to do a better job of housing those of us who are homeless. And perhaps most important, we need to do a better job of recognizing that homeless people are "us." We need to use our language to reflect this understanding, confronting ourselves daily with the fact that homeless people are just that: homeless *people*.

Any approach to ending homelessness must recognize first off that as long as housing is distributed primarily along the lines of supply and demand, there always will be people who are unable to find homes. If the supply side of the equation were greater than the demand side, if there were more units of livable housing than households, housing could not be the profitable business that it is. The logic of the system requires that at any given time a certain number of people will be homeless. Reagan's diminishing of the role played by the federal government in subsidized housing clearly aggravated the problem, but we must face up to the reality that as long as we see housing as a commodity and not a right, we ensure that there will be large numbers of people who are homeless.

Josh Wolf
New York, N.Y.

The High Cost of Housing

Editors:

In Tamar Jacoby's excellent and even-handed article about the homeless (Spring 1991), she neglects to pinpoint the simplest explanation for this tragic phenomenon: some people's labor is not worth what it takes to support him/herself.

The mentally ill, along with many physically disabled, are only the most dramatic examples of this rough economic fact.

The number of homeless has increased because the degree of competency required for self-support in our technologically sophisticated culture has risen.

Denise Noe
Atlanta, Ga. □

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Understanding Castoriadis

Editors:

Martin Jay (Summer 1990) rightly praises Cornelius Castoriadis's *Political and Social Writings* as "remarkably acute and prescient analyses of the crisis of communism." Unfortunately, his own analysis is flawed.

Jay reduces ideas to "antecedents." Identifying Castoriadis's main theme as "socialism or barbarism," he remarks that Castoriadis "inherited" it "from Engels via Luxemburg: only genuine socialism is the alternative to barbarism." He thereby ignores Castoriadis's originality: for Castoriadis, these terms constitute a *present contending alternative,* not dichotomous future outcomes. Castoriadis does not, to quote Jay, take events on "faith" as "harbingers of the final struggle."

Despite (?) his title ("Unorthodox Leftist"), Jay wants to tag Castoriadis a Marxist theologian: Castoriadis's "fundamental flaw" is a Lukácsian "agenda of redemptive politics." The label won't stick. Castoriadis's fresh insight was that socialism must establish *new relations* between institutional creativity and already "instituted society"—not collapse them for purposes of "recognition."

Misrepresentations accumulate. Marx's productivism is imputed to Castoriadis—who argued people's cultural activities and sexuality are *as important*. Castoriadis supposedly believed "virtually all the discontents [people] suffer are a function of [the production process's] division into managers and managed." But Castoriadis said this split had spread throughout social life and was *not* simply an economic phenomenon to be remedied automatically by workers' councils.

This will to read into an author what perhaps existed before elsewhere yields strange results. To prove Castoriadis's "yearnings for total social redemption" (from *what?*), Jay "explains" Castoriadis's views: "Once this split is overcome, the organization of society will become transparent to those who collectively organize it." Jay, who cites Castoriadis's *The Imaginary Institution of Society,* skipped page 111: "No society will ever be totally transparent."

Jay concludes recent events prove "fatal" to Castoriadis's "utopian vision." Solidarity "wanted to reinstall an articulated civil society rather than absorb the state into a homogeneous network of self-managing councils." "Practice" refutes Castoriadis, for "no workers' councils have yet to emerge spontaneously in . . . 1989–90."

But when Poles stopped talking about building "civil society" within a communist state and began talking self-management, the regime put a gun to their head. Now that gun is removed. The problem of the organization of society remains in its entirety, as Solidarity's recent breakup confirms.

The opacity is Jay's: "Habermas charges [Castoriadis] with failing to grasp the importance of intersubjective interactions that cannot be assimilated to a unified notion of self-institution." But Castoriadis's notion of a possible *autonomous articulation* of self-instituting activities relates to his advocacy of explicit self-governance in society at large *and in a variety of intermediate institutions* (e.g., the workplace).

"Self-institution" signifies not "suprapersonality" but "collective anonymity" irreducible to (inter)subjectivity. *Autonomy* is not a norm anyone invented alone; its meaning must first be *instituted*. Nor is it exhausted by "intersubjective interactions." In aiming at the autonomy of others, I aim not just at these specific other subjects but at an indefinite community of others in an indeterminate future.

No "intersubjective" essence could preclude autonomous individuals from entertaining relations with their society such that that society is put into question whenever, by democratic means, they feel the need or desire to do so. One may argue (superficially) that the myriad questions raised by this radical project—now suppressed under claims of efficiency, rationality, national security—would make society ungovernable. One cannot conclude autonomous society dictates "homogeneity."

Instead of proclaiming that recent events irredeemably prove this project a "redemptive utopia," we should examine how to broaden it—and what still impedes it. The tendency to reduce what one does not understand to what one thinks one already knows is indicative of the sorry state of creative emancipatory thought today.

DAVID AMES CURTIS
Paris, France □

AUTHOR'S QUERY:

For a biography of the late American socialist leader Michael Harrington, which is being written with the cooperation of the Harrington family, I would appreciate hearing from anyone who knew Harrington well or has correspondence or other materials that shed light on his life and career.

MAURICE ISSERMAN
History Department
Hamilton College
Clinton, New York 13323 □

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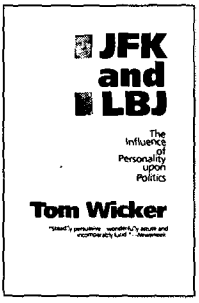

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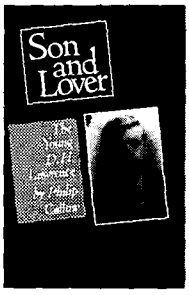

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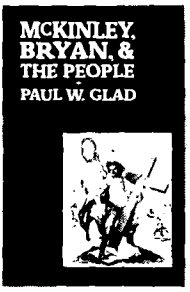

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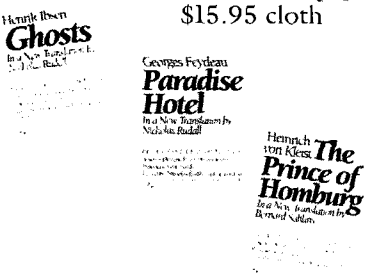

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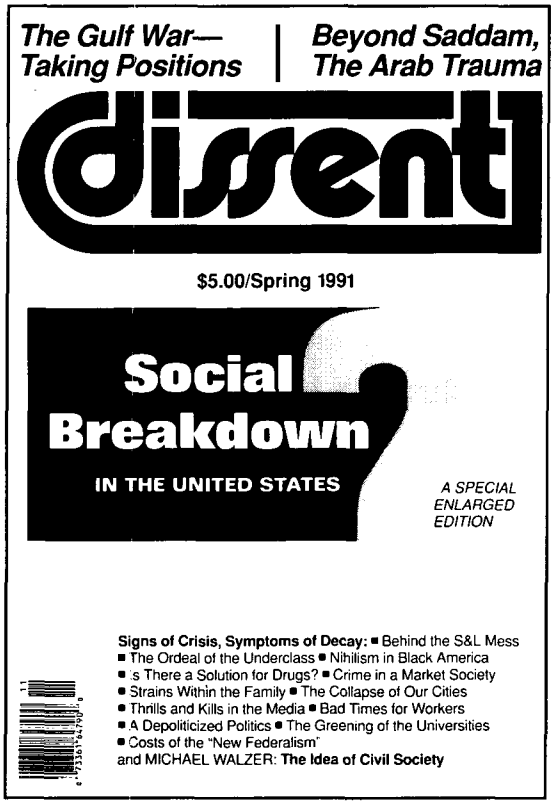
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